

Also, a bill (H. R. 8809) removing the charge of desertion against Lambert F. Haberstrom; to the Committee on Military Affairs.

By Mr. MAHAN: A bill (H. R. 8810) granting an increase of pension to Sarah E. Parker; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8811) to execute the findings of the Court of Claims in the case of Sarah B. Hatch, widow of Davis W. Hatch; to the Committee on War Claims.

By Mr. VAUGHAN: A bill (H. R. 8812) for the relief of the heirs of Michael Mayers, deceased; to the Committee on War Claims.

By Mr. WHITE: A bill (H. R. 8813) granting an increase of pension to James M. Dutro; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of California: Petition of board of trustees of the California State Library, favoring the extension of the parcel-post system to include books; to the Committee on the Post Office and Post Roads.

By Mr. CURRY: Petition of the board of trustees of the California State Library, favoring the passage of House resolution to extend the parcel post to include books; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Papers to accompany House bill 3583, for the relief of George H. Poust; to the Committee on Pensions.

By Mr. PAYNE: Petition of citizens of Sodus, Wolcott, Dundee, Ontario, Ontario Center, Rushville Center, Gorham, Victor, Naples, Holcomb, Williamson, and East Williamson, N. Y., favoring the passage of H. R. 5308, which provides for a tax on interstate mail-order business; to the Committee on Ways and Means.

By Mr. RAKER: Petition of Alameda County Colored American Center of California Civic League, Oakland, Cal., protesting against discriminating in the Government departments against colored employees; to the Committee on the District of Columbia.

Also, petition of board of trustees of the California State Library, favoring the passage of House resolution 227, for the extension of the parcel post to include books; to the Committee on the Post Office and Post Roads.

By Mr. TALCOTT of New York: Petition of the Third Annual State Conference on Taxation, Binghamton, N. Y., favoring the passage of legislation for the immediate collection of statistics of wealth, debt, and taxation as authorized by the permanent census act; to the Committee on the Census.

SENATE.

THURSDAY, October 9, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Tuesday last was read and approved.

BANKING AND CURRENCY.

Mr. OVERMAN. Mr. President, there is a great deal of talk in the newspapers about what is being done by the Committee on Banking and Currency and when we are to have a report. We have been here some time waiting for a report from the committee. This Congress is not going to adjourn until we have some currency legislation. The committee has been having hearings for three weeks. There was spent \$100,000 or more in sending a commission abroad to study this great question. Now we are marking time here in Washington, adjourning from day to day, and I should like to inquire of the chairman of the committee, whom I see on the floor, when we are going to have a report from his committee, in order that we may know something about whether we can stay here or go home to our families until the committee does report.

It does seem to me that there is some effort on the part of some people, not Senators, to prevent any action from being taken during this session. I notice in the papers this morning that there was a great convention held in Boston yesterday by the bankers of the country and also that a resolution was introduced by a man who is not a banker, so far as I know—a defeated Member of Congress, a very able man, who knows a great deal about the tariff and is a tariff expert; but I never heard of him as a banker—and when it was announced who

should control the money and the currency of the country, the bankers or the Government, with one accord they shouted, "We should! We, the bankers, should!"

I hold in my hand a telegram received from a man who was in the convention who is vice president of a million-dollar bank, and he says that the whole and the only plan of leaders here is to defeat if possible any action on the bill at this session; and the resolution adopted yesterday has that underlying object. The country banks are all right, but simply have been hoodwinked, and will catch on later.

I know the sentiment of the country. The people in my State and the country banks there want action taken on this subject. If we get the bill back here, we can discuss it in open session and pass a bill that will be satisfactory to the people. I should like to know from the chairman of the committee when we may expect a report from his committee.

Mr. OWEN. Mr. President, if the chairman of the committee had his own way about it he could report the bill next week. The chairman of the committee has not had his own way about it. I do not know when the committee will be ready to act. The hearings, I believe, have had a beneficial result upon the minds of the country, at least, and also upon the members of the committee who approached this matter with more or less lack of complete information with regard to it. By these hearings we have had the point of view of a great number of men—bankers and, in some few cases, business men—but for the most part the bankers have desired to be heard, claiming that they wanted to have their views understood by the committee; and they have been heard with great patience and with great repetition of what we have heard over and over again.

We have now taken testimony that will probably fill 2,000 pages, a copy of which has been promptly sent to every Member of the Senate as it has been printed. The bankers had been heard quite extensively by the House committee during last winter, and those hearings comprise over 700 pages of printed matter and were made available to every member of the committee. The examination by the Pujo committee, also of several thousand pages, has been available, as well as the 32 volumes of the National Monetary Commission.

Mr. OVERMAN. Did the same bankers who are appearing before your committee appear before the House committee?

Mr. OWEN. Practically; their leaders did.

Mr. OVERMAN. Is it expected that every banker in the United States will be heard before reporting the bill?

Mr. OWEN. I am not answering for the committee; I am answering only for myself when I say we have heard a great many of them and that the committee thought it well to continue the hearings not later than the 25th of October. It passed a resolution a day or two ago to that effect. The 25th of October is next Saturday two weeks. I was only recounting the hearings that had been given and the volumes of information available to the committee and to those attempting to make the preliminary draft of a bill that might be made satisfactory to the country and which would seem to be in accord with the best opinion of the country. I myself took part in it, and a very active part, and before venturing to put into form my own ideas in the bill I did consult not only this record which was taken in the House—I read that record—but I consulted also with the members of the American Bankers' Association who were designated by that association as the currency commission. I spent hours and hours with them trying to ascertain with precision and as intimately as possible their views. They were also heard by the Secretary of the Treasury and by the President of the United States in connection with this preliminary draft of the bill. Somebody had to draft it. It could not be drafted by everybody, of course. It had to be drafted by some men who would give it special attention, and they did the best they could with it. It was a preliminary draft and is fundamentally sound, although, of course, it can be improved by common counsel. It went before the House, was discussed at great length in Democratic caucus, was variously amended, and then on the House floor it was further discussed and an extensive record made. The debates on it are before the Members of the Senate.

I think that in reality we have had about all the hearings necessary for me to make up my mind. I can not speak for any other member of the committee.

Mr. OVERMAN. I should like to ask the Senator if, in his opinion, there is any concerted effort on the part of the bankers of this country to prevent legislation at this session?

Mr. OWEN. I have no way of ascertaining what their motive is. I think this Boston meeting had for its obvious purpose to work up opposition to this bill and either force the bankers'

view or to delay or defeat the bill. What the purpose may be beyond that I have no means of knowing. It is difficult to ascertain the purposes of men. We generally have to judge of purposes by the actions of men. I do not like to attribute any ulterior purpose to the bankers; but I, of course, recognize the fact that they are having a very active propaganda carried on about it, because there have been called numerous State bankers' meetings, and they have passed various resolutions about this bill. I attended several of those State meetings myself, one of them in Virginia, where I explained the bill quite fully, and they passed a vote in favor of the principles of the bill quite unanimously. Not very long afterwards, when they had had an opportunity, I suppose, of consulting with the leaders of the propaganda, they met and passed a resolution against it.

So I do not know what the motive is. I simply know that we have given a great deal of time to hearing their point of view. The committee has been very patient about it. In fact, I think that the hearings have gone so far that they are not really necessary to be continued any longer. But that is a matter which is in the control of the committee, not in the control of the chairman. I really hope that the committee will soon be ready to report the bill.

Mr. OVERMAN. I understand, then, by the official action taken, the committee will not report before the 25th of October?

Mr. LA FOLLETTE. That is when the hearings will be closed.

Mr. OWEN. The hearings might close before that time, if the committee orders it to be done. The matter is in the hands of the committee.

Mr. OVERMAN. I understand, then, the committee has taken action that the hearings will close on the 25th?

Mr. OWEN. Not later than the 25th.

Mr. OVERMAN. And there is no telling when we will get a report from the committee on the bill.

Mr. OWEN. No, sir; there is no definite information I could give the Senator upon that matter. The hearings will conclude not later than the 25th. The committee has it in its power to conclude the hearings earlier if it sees fit.

Mr. OVERMAN. Does the Senator think we can get a report from the committee by the 1st of November?

Mr. OWEN. I greatly regret that the chairman can not definitely forecast when the report will be made.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Iowa?

Mr. OWEN. I yield to the Senator from Iowa.

Mr. CUMMINS. I read last night rather a remarkable statement in one of the evening papers, and I should like to ask the chairman of the committee whether he has any information upon the subject. One of these papers, in the endeavor to right the President with respect to an alleged interview that had been given out in the Post, attributed to the President this statement, that he neither expected nor wanted the support of any Republican to this measure. Does the Senator from Oklahoma know whether the President made the statement which I have just quoted?

Mr. OWEN. The statement is obviously preposterous.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. OWEN. I do.

Mr. THOMAS. I wish to say in answer to the query of the Senator from Iowa that I have it from the President's own lips that the statements attributed to him are without foundation—a statement which I assured him I would repeat on the floor of the Senate if the occasion arose requiring it. Those of us who know the President intimately know that this assurance from him was unnecessary. The statement does not sound like him, it is not characteristic of him, and it is entirely foreign to the tenor of his whole political life. I am sure the President would welcome, as we all would, the cooperation of both sides of this Chamber in the accomplishment of any great act of national legislation that is designed for the general welfare.

Mr. CUMMINS. Mr. President, I am very glad to hear what the Senator from Colorado has just said. It seemed to me inconceivable that a President of the United States could say what is imputed to him. A President who would utter a sentiment of that kind is not worthy of the high place which the occupant of that office holds, and I asked the question because I felt that the people of this country ought to be advised definitely whether a statement of that kind had been made. I am sure that they will receive with great relief the denial of the Senator from Colorado, and I accept it absolutely and implicitly as the truth.

Mr. THOMAS. I am sure the Senator does, and I think he will agree with me also that those who are responsible for placing such words in the mouth of the Chief Magistrate of the United States are themselves unworthy of public confidence.

Mr. CUMMINS. I do not know who is responsible for it.

Mr. THOMAS. Neither do I.

Mr. CUMMINS. The statement to which I referred appeared in the Evening Star yesterday.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Oklahoma yield to me?

Mr. OWEN. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. I feel that a declaration or publication of that character is utterly scandalous, and it is so utterly at variance with the thoughts and expressions of President Wilson that it seems to me it can find but little lodgment in the mind of any sensible man in this country. His whole life and his political life in New Jersey during the time when he was a candidate for governor and during the time when he was governor of our Commonwealth have been so utterly contrary to any such thought and expression as to make it sheerly senseless and ridiculous.

He has courted, and our party in New Jersey has courted, the fair-minded, honest men of all parties to join with us and with him in the matter of reform and clean, good government to advance the welfare of our Commonwealth, and I believe thus far it will be the universal consensus of opinion in this broad land that whatever act has prompted President Wilson it has been not to advance partisan supremacy but for broad, patriotic, and just purposes. I feel that the country may rely upon his judgment and his wisdom, at least upon his fairness, to urge the assistance of all parties for better government, for cleaner government, and for relief from conditions that have burdened the masses of our country.

Mr. OWEN. Mr. President, these numerous misrepresentations appearing in the press, not only with regard to the President but also with regard to members of the committee, with regard to the chairman of the committee, are obviously inspired by some desire to create mischief by exciting hostility, and by stirring up ill feeling between members of the committee and between members of the committee and the President, and between the President and the Congress of the United States. Numerous false statements have appeared in the press. I have not felt called upon to enter a public denial, much less to defend the President with regard to the absurd and unreasonable charge that he should have said such a thing as that he did not expect nor care for Republican support on a great public measure. No human being knowing the President's high character, his delicate consideration for others and for the proprieties, would believe such an utterly unreasonable statement, and the country will not give a sigh of relief to be informed that the President has not said this for the very common-sense reason that no common-sense citizen has believed it for a moment.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator.

Mr. SUTHERLAND. Mr. President, I have heard with a good deal of satisfaction, as I think the other Senators on this side have heard, the disclaimers on behalf of the President. I am very glad to know that the President has no intention of doing the things which it has been stated in the newspapers that he had in mind to do; but there is another matter which I regard as of quite as much importance, and upon which I should like to have the disclaimer of the Senator quite as emphatically, if he is in a position to make it.

It has also been stated in the newspapers that, unless this bill can be forced through the committee and brought to the attention of the Senate within what some regard as a reasonable time, it is the intention to take it into the Democratic caucus. I would regard it as exceedingly unfortunate if a bill of this character should be treated in that way; and I should like to ask the Senator, who has been exceedingly frank in his statements, whether or not, to his knowledge, there is any such intention on his part or upon the part of any considerable number of Senators upon the other side?

Mr. OWEN. I will answer the Senator presently, when I have concluded my remarks, which he interrupted.

This obvious propaganda carried on in the press really would seem to have some other than a patriotic purpose. Why should the President of the United States be misrepresented day after day, and why should he be compelled to enter disclaimer after disclaimer with regard to these obvious falsehoods circulated about him? Who is responsible for it? Nobody? Has it no source, no purpose? It justifies the suspicion or the statement

of the telegram sent from Boston to the Senator from North Carolina, to which he has just called attention.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. OWEN. I yield to the Senator from North Carolina.

Mr. SIMMONS. The Senator from Oklahoma said earlier in his statement that the bankers of Virginia had first indorsed this bill.

Mr. OWEN. The principles of this bill.

Mr. SIMMONS. But that later they had held a meeting, after probably conferring with others, in which they had condemned it. The Senator from North Carolina, my colleague [Mr. OVERMAN], has stated that the bankers of his State and my State are in favor of this measure. I believe that statement to be true, from information in my possession. I want to ask the Senator from Oklahoma what particular class of bankers in this country, in his opinion, are making this opposition and are responsible, if the bankers at all are responsible, for this propaganda that the Senator is talking about?

Mr. OWEN. Mr. President, it is difficult to describe them as a class, and I do not like to enter into a description of a class responsible for anything. I think that these bankers' conventions are often engineered by a few active gentlemen who have what they conceive to be a class purpose to serve, and that they do not of necessity at all represent the sentiment of the bankers of the country. I have great respect for the bankers of the country; I believe they comprise a class of honorable and useful men; and, as a rule, I believe they are as patriotic as other citizens. Where they have an interest to serve, an interest which they think it their duty to protect, I should expect them to actively do those things which they think necessary to protect that interest; but I do not believe that those who conduct these conventions in reality always represent the great body of the bankers by any means. More than that, the attitude of mind of these gentlemen was fairly illustrated in a meeting which I had the honor of addressing at Cleveland, Ohio, not long since, where there was a State bankers' convention of the State of Ohio.

The question arose before them whether or not we should have prompt action on this subject matter. They voted almost unanimously in favor of that. That did not satisfy one of the bankers who was present and who, I afterwards was informed, had a large volume of country-bank deposits in his bank, and he arose and put this question to the assemblage of bankers: "All of those who are in favor of this bill passing in its present form hold up your hands." Well, there was only a very negligible quantity, perhaps four or five, who held up their hands. I then put this question to them: "Let every man who has read this bill or who knows what it is in its present form hold up his hand." Not a single man held up his hand, not even the gentleman who had made the first proposal. They had not read it, they did not know its meaning, and were in no position, therefore, to pass upon its merits. My own opinion is that the country bankers and the bankers in general will almost unanimously rejoice to avail themselves of the opportunities provided in this bill when it is perfected and submitted as a statute.

The Senator from Utah [Mr. SUTHERLAND] has asked me the question whether—

Mr. SIMMONS. Before the Senator from Oklahoma leaves the present aspect of the subject he is discussing, I wish to say that my understanding is that the bill that passed the other House and was referred to the Banking and Currency Committee of the Senate will, if it becomes a law, decentralize the reserves which are now held in a few of the larger financial centers of the country. Has the Senator from Oklahoma any reason to believe that this persistent opposition, this agitation, this propaganda against this bill, is in any way influenced, brought about, or carried on by the bankers in the financial centers who are interested in preventing a decentralization of these reserves?

Mr. OWEN. I believe that there is violent and intense opposition on the part of some of those who would like to have these reserves pyramided in New York, where they may be used for speculative purposes. I want to say, also, that some of the greatest bankers in New York state very frankly that they favor this bill in its reserve aspect for the very reason that it will enable those banks to withdraw loans from the speculative market. The president of the National City Bank of New York, Mr. Frank Vanderlip, formerly Assistant Secretary of the Treasury and now president of that great bank, with \$250,000,000 of deposits, is before the committee to-day, and has stated to the committee that under the present law the great banks in the central reserve cities, having no place where they can go for discounts, and being led by their natural interest to earn money for their stockholders and being compelled to use

their funds down to the 25 per cent reserve limit, have been thus led to make these call loans on stocks and bonds, subject to an immediate sale, because it affords them a species of quick reserve in case of demand on them for any urgent need.

It is perfectly obvious that these men are almost compelled by necessity to carry the call stock loans, and the natural tendency is to make loans on stocks and bonds subject to immediate sale—call loans—because they have no other place to go where they may supply themselves with funds in case of necessity, that it would enable them to withdraw their resources from the call loans on the New York Stock Exchange and invest them in the commerce and industries of the Nation. Call on collateral has thus grown up because of the deficiencies of the law which we are now about to correct.

Mr. BRANDEGEE. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Connecticut?

Mr. OWEN. I yield to the Senator.

Mr. BRANDEGEE. If we are going to debate the provisions of this bill—

Mr. OWEN. I am not going to debate the bill.

Mr. BRANDEGEE. I should feel called upon to suggest the absence of a quorum, which I do not do at present, however.

Mr. OWEN. I am not going to debate it. I was simply answering the question which the Senator from North Carolina asked me.

Mr. BRANDEGEE. It struck me that the discussion was proceeding to the merits of the provisions of the bill.

Mr. OWEN. I do not propose to debate the bill. I was simply answering the question and speaking of the opposition and attitude of mind on the part of certain people.

It was pointed out by the witness to whom I have referred that if the banks had a Federal reserve bank to which they might go in times—

Mr. BRANDEGEE. Did not that witness also state that if this bill should pass in its present form it would increase the domination of New York over the money markets of the country? I so read his testimony as reported in one of the local newspapers, and that is the reason I have asked the question.

Mr. OWEN. That is not an accurate statement of what he said. I can not remember his exact language, of course, but the substance of what he said was—

Mr. BRANDEGEE. I am stating the substance of what the newspapers reported that he said. I have not seen the official report of the hearings.

Mr. OWEN. He only spoke of the dominant size of the New York reserve bank in comparison with the size of other reserve banks, if they should be multiplied in number. That was all.

Mr. SHAFROTH. Mr. President, if the chairman of the committee will yield to me, I will remind him of the fact that Mr. Vanderlip stated that his bank would lose \$50,000,000 of country bank deposits by the enactment of this measure in the way of having less money to lend on call; but he also stated that, by diverting the money they had on call, they could lend it in legitimate commercial transactions, and thereby make considerable money. I think that is about all he said on that phase of the matter.

Mr. BRANDEGEE. Mr. President, if the Senator from Oklahoma will yield to me, I desire to ask him a question.

Mr. OWEN. Certainly.

Mr. BRANDEGEE. Inasmuch as the attitude of Senators and other distinguished officials of the Government is freely commented on by the press now—not always quite accurately, however—I will state my recollection of a part of an interview that I read in one of the "palladiums of the liberties of the people" last evening as to the attitude of the distinguished Senator from Missouri [Mr. REED] who is a member of the committee. It was something to the effect that 20 days have been consumed now in the hearings before the committee on this great bill; and I wanted to ask the Senator from Oklahoma whether he thinks that up to date the information elicited by the committee in those 20 days of hearings has justified the expenditure of time on this great question or whether the time has been wasted?

Mr. OWEN. I do not think it should be regarded as wasted, although there has been much said over and over again, merely repeating the arguments of the Chicago conference; in fact, almost all of the evidence has been but a repetition of the arguments of the Chicago conference in one form or another. There has been no attempt made expressly to summon before the committee witnesses who advocate the bill. It was thought better to let those who were opposed to the bill have as full opportunity as possible to indicate its weak points, and that that would be a more useful course of procedure. That course has been substantially followed by having those who were not

in favor of the bill in its present form suggest amendments and changes and give the reasons therefor. The Senate, in so far as they have read the reports of the hearings, will doubtless perceive that that is the case. Does the Senator wish to interrupt me any further?

Mr. BRANDEGEE. The Senator does not criticize the policy of the committee, does he?

Mr. OWEN. The Senator from Oklahoma has not criticized the committee.

Mr. BRANDEGEE. But the Senator himself does not favor the passage of the bill as it came from the other House, does he?

Mr. OWEN. I favor certain amendments to it, but in the main I think it is the most valuable banking bill that has ever been written.

Mr. BRANDEGEE. The Senator favors quite a number of amendments, does he not?

Mr. OWEN. Yes; verbal and otherwise, and some in punctuation that I should like to have made, but the great principles of the bill are sound.

Now, answering the Senator from Utah [Mr. SUTHERLAND], I will state that from the time I became a member of the committee and its chairman I have with great freedom consulted the Republican members. I have felt at perfect liberty to do so, and have done what I could to secure their cordial and friendly cooperation in writing this bill from a high and patriotic standpoint. We held our meetings in common, and while occasionally we have had conferences of the majority members in connection with the bill, it has been more for the purpose of studying the bill out than for taking any concrete steps independently of the Republican members.

The Senator from Utah asked me the question point-blank as to whether or not I would favor a party conference on this bill or whether there would be one. I do not really know whether there will be one or not, nor have I consulted with any sufficient number of my colleagues to justify me in drawing a conclusion upon that matter.

Mr. OVERMAN. Mr. President, may I ask the Senator a question? Has it not been the consensus of opinion on this side of the Chamber that this should be a nonpartisan bill? Has it not been thought that it is a great question that ought to be settled without regard to politics and without regard to any partisanship?

Mr. OWEN. I think that has been the consensus of opinion. But I will say to the Senator very frankly that if I thought it was necessary, in order to pass this measure, to have a Democratic caucus, I should strongly and directly favor it. I believe in responsible party government. We have two great parties in this country—

Mr. LA FOLLETTE. Mr. President—

Mr. OWEN. Or perhaps three.

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Wisconsin?

Mr. OWEN. I yield to the Senator.

Mr. LA FOLLETTE. I did not rise to ask anybody to yield to me. I rose, Mr. President, to inquire how this debate is proceeding?

The VICE PRESIDENT. The Chair can only answer that it is proceeding, as about everything does in the Senate of the United States, by common consent.

Mr. LA FOLLETTE. Not quite everything, Mr. President. I do not wish to interpose the rules of the Senate to prevent a reasonable latitude on any subject matter that is taken up in this way. I will say that I have myself been in favor of the continuance of this session for the consideration of this subject matter. I believe the committee is considering it seriously, as its importance demands. I do not believe any discussion is necessary to justify the committee in taking all the time that in their judgment should be taken. I do not believe any discussion of this sort is necessary to be used as a spur or a whip or a lash upon them to hurry them. I can not help saying that to me this has the appearance of a prodding of the committee. Mr. President, I ask for the regular order.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials, there being an objection to the further discussion of a matter that does not appear to be properly before the Senate. If there be no petitions or memorials, reports of committees are in order. If there be no reports of committees, the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 3204) granting an increase of pension to Wallace W. Chaffee; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3205) granting an increase of pension to Nettie Randolph (with accompanying papers); to the Committee on Pensions.

RELIEF OF SUFFERERS IN ALASKA.

Mr. POINDEXTER. I introduce a joint resolution, and ask that it go over.

The VICE PRESIDENT. The Senator from Washington offers a joint resolution the title of which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 71) for the relief of sufferers from the recent storms in Alaska.

The VICE PRESIDENT. The joint resolution will lie on the table and be printed.

SENATOR TILLMAN'S RETROSPECT OF 18 YEARS (S. DOC. NO. 210).

Mr. FLETCHER. I have been requested by the Senator from South Carolina [Mr. TILLMAN] to move that the order of the Senate of October 3 providing for the printing as a public document of an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called "the money power," be reconsidered.

The VICE PRESIDENT. Without objection, the order of the Senate of October 3 will be reconsidered.

Mr. FLETCHER. On behalf of the Senator from South Carolina [Mr. TILLMAN] and at his request, I offer the following order and ask for its adoption.

There being no objection, the order was read, considered by unanimous consent, and agreed to, as follows:

Ordered, That the remarks of Senator TILLMAN of October 3, 1913, together with an article prepared 18 years ago for the New York World, giving the impressions and the then beliefs of Senator TILLMAN about Wall Street and what is called "the money power," be printed as a document, with accompanying illustrations.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

THE NAVY.

Mr. BRANDEGEE. Mr. President, I do not rise to introduce a concurrent resolution, but to make an inquiry concerning one which I introduced about two months ago.

On August 15 I introduced Senate concurrent resolution No. 7, which was referred to the Committee on Naval Affairs, and it directed them to inquire and report to the Senate and House:

First. What increase is desirable in the Naval Establishment.

Second. Whether it is desirable and feasible to provide a definite naval program, to extend over a series of years, with respect to the construction of new ships.

Third. In what order the United States Navy ranks among the first eight naval powers in naval efficiency, in view of the number, type, age, armor, and armament of its ships and the quality, skill, and discipline of its personnel.

Fourth. What proportion of our naval fighting efficiency is constantly available for instant active sea service in case of emergency.

As I stated before, the concurrent resolution was referred to the Committee on Naval Affairs. I should like to ask some member of the committee, several of whom I see present, whether that committee has been able to give the resolution any consideration.

Mr. PAGE. Mr. President, so far as I am aware the Senate Committee on Naval Affairs has been unable to muster a quorum of late; and about all the business we have done has been in the way of reporting upon nominations. Nothing has been done by a quorum of the committee; and I doubt whether a majority of the committee could be convened to-day, with the limited number of Senators present.

Mr. BRANDEGEE. Mr. President, I have counted on the floor of the Senate to-day a majority of the committee—a majority of the Republican membership and one-half of the Democratic membership. While I do not know that to-day is the regular meeting day of the committee, I simply wish to urge that the committee shall give this matter some consideration.

I did not ask that the Senate should instruct the committee at the time I introduced the resolution, but being framed as a concurrent resolution, if the committee think there is any merit in it at all, it would involve going to the House as well as to the Senate. I should like the committee at least to consider it and see whether or not they care to report it.

I bring up this matter particularly at this time, because I am not an alarmist nor a jingo nor a quarrelsome person, and I have no object in doing anything or saying anything in relation to our military affairs that can involve us nationally in any trouble or compromise us at all with foreign nations or in any way detract from the utmost friendliness of this Nation with all foreign nations. It goes without saying, however, that it is the duty of the Government to maintain an adequate Navy. I believe all party platforms agree to that. Unfortunately in the

use of words, there is some difference of opinion as to what is adequate.

I had some experience in these matters as a member of the Committee on Naval Affairs of the House of Representatives. My State also is a maritime State. The entire southern border of the State is practically upon the ocean, being upon Long Island Sound, which immediately connects with the ocean. My constituents are interested in the Navy, and we feel the necessity of an adequate Navy at all times being maintained by the United States. Whether it is in any party platform or not, the Government of course should maintain an adequate Navy, as much as it should maintain an adequate police force in the District of Columbia.

I introduced an amendment to the last naval appropriation bill proposing to increase the number of battleships provided by the bill from one to three. In the wisdom of Congress, one was provided. I introduced that amendment, because I considered that it had been the established policy of the Congress to appropriate for two battleships each year; and inasmuch as the previous bill had appropriated for only one, I thought if we appropriated for three in the last bill it would make the average good for two. I am still of the same opinion about the necessity of keeping our naval efficiency up to the standard which had been agreed upon, I thought, as a policy of Congress several years ago.

I shall not make any motion this morning in relation to this concurrent resolution or in relation to the committee, but shall simply express the hope that the committee will call up this matter and consider it. A majority of the committee is in town, and the Senate is not especially busy at this time about other matters. I make this statement now in order that the matter may be considered at a time when there is no acute foreign question pending before the country and when the inquiry can not be thought by anybody to have any particular drift or slant or reflection upon any foreign power or application to any particular nation. I think this is a proper time to consider this question, which I deem very important, indeed.

The VICE PRESIDENT. Are there further concurrent or other resolutions? If not, morning business is closed.

BANKING AND CURRENCY.

Mr. THOMAS. Mr. President, I desire to recur for a moment to the subject of the earlier discussion of this session—the subject which was presented by the Senator from North Carolina [Mr. OVERMAN] by the presentation of a telegram from a member of the bankers' convention now being held in the city of Boston.

I am one of those who believe that the time of the Committee on Banking and Currency has not been wasted in giving to this all-important subject full opportunity for hearings. My experience—and I do not think it differs from that of the average man—is that there is more difference of opinion, and of arbitrary opinion, among men upon the subject of banking, currency, and coinage than any other subject of public importance, and each man who has an opinion is generally very tenacious of its soundness. As a consequence it is quite natural that these hearings should be extended and should involve the statements of all sorts and conditions of men. I believe that out of it much good will come, because while the people of this Nation, almost without exception, believe that legislation of this character is demanded by existing conditions, they are also very naturally and very properly solicitous as to the nature and ultimate scope of any measure that may be adopted.

I believe, too, that the great mass of bankers in this country are honest, conscientious, capable, upright, and patriotic citizens. I have no doubt that they are quite as anxious to secure the enactment of a proper measure as we are or as any other class of citizens are. At the same time we must recognize the fact that banking in this country has become greatly concentrated, and therefore subject very largely to the domination of the great banking institutions at the great centers of trade and commerce, and that this domination is so extensive and so complete as very largely to mold the expression of official sentiment and course of action taken by this body of gentlemen as a class when speaking through their conventions and conferences.

Those who are in power, those who are in control of the credits of the country, are also anxious for banking legislation, provided that legislation can be made to accord with their sentiments and policies. Unless it is so in accord, they will have none of it. Hence these conventions and conferences which are being held all over the country by men engaged in the business of banking, and that common consensus of expression of disapproval of the bill which reaches the committee and the country through the press, all designed in my judgment, either to post-

pone the ultimate passage or enactment of a banking measure at the special session, if not indefinitely, or to secure such a measure as will address itself to the interests, the purposes, and the ambitions of the few overshadowing institutions and individuals who are at the head of financial affairs in this country.

There is nothing new in that attitude of the banking world. There is nothing remarkable about it, except that in these days its scope, and its power, and its influence are much more extensive and far-reaching than at any previous time in the Nation's history.

I believe that a part of the propaganda having for its purpose the framing and enactment of a measure satisfactory to the great financiers of the country finds expression in efforts to antagonize the President of the United States with the Democratic majority in the Senate, and also to antagonize the President with the Republican minority; in other words, to create dissension, and through dissension to prevent the community of work which is essential for the enactment of a great national measure like this.

Yesterday morning on reading in the Washington press what purported to be certain statements of the President concerning this measure, and the Senate Committee on Banking and Currency, I at once came to the conclusion I have just stated, knowing that it was impossible that such sentiments could either have been entertained or expressed by the head of the Nation, and that there was some sinister purpose behind it, a purpose to create through dissension, through misunderstanding, which might serve to lead this bill into the channels of disaster. I believe this is going to continue, unless it is promptly exposed and the attention of the country riveted upon it; and I believe that if continued it may, to some extent, consummate the purpose for which it is designed. To speak plainly, I think it is part of a conspiracy to defeat any financial legislation whatever, except such as can be dictated by the interests which, as shown by the report of the Pujo committee, have for a long time controlled and directed the credits of this country through the centralization of the financial affairs of the Nation in the hands of a few men.

Some time ago, Mr. President, the chairman of the Committee on Banking and Currency gave public utterance to his views concerning the character of this bill, and some of the criticisms that had been made against it, which brought forth much comment, and among others this statement from Mr. Vanderlip, the president of the National City Bank of New York, which claims to be, and probably is, the greatest of the financial institutions in this country. He says:

We are not leading in any movement to kill the currency bill, but I consider any move for the purpose of bettering legislation a wise and patriotic thing. It is all moonshine about a propaganda to defeat the bill. I want to see financial legislation effected. This bill has some correct principles, but it must be changed according to the lines suggested at Chicago.

Mr. Vanderlip's statement has all the arrogance of the Aldrich régime. It takes us back to a very short time ago, when men in high position in the financial centers of this country could speak with authority and with the voice of command. This gentleman says that this bill must be changed according to the lines suggested at Chicago. In other words, the American people, through their representatives in Congress, must act according to the direction of a bankers' convention in the city of Chicago.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. Certainly.

Mr. REED. I might say to the Senator that while I have received some letters like that, I have also received a great many letters saying that this bill must be passed just as it came from the House, and that it must be passed immediately. Now, I do not believe that the Senator from Colorado, with his learning and experience and ability, or any other Senator, ought to allow the extreme statements made by any man or by any class of men to in the slightest degree affect our judgment or indicate our course. We ought to proceed in this matter as we would with any other grave and important question—carefully, patiently, and with that degree of expedition which is possible under the circumstances.

I believe the less we have of agitation until the bill is ready to report, and then when it is reported the more nearly we approach it in a judicial frame of mind, having in mind that the welfare of the country is largely concerned, the more nearly we will accomplish a good result.

If the Senator will pardon me, for I am trespassing upon his time, I want to say this before I go: So far as I am concerned, I hope that this bill will receive the careful, unbiased thought and attention of the Members who sit upon the other

side of the Chamber, and I hope it will be taken up as a great national question and not as a partisan question.

Mr. THOMAS. Mr. President, the Senator from Missouri has anticipated to some extent what I intended to say, and has said it so much better than I can that I shall not attempt to refer to that phase of the subject further than to say that I believe every member of the Committee on Banking and Currency has regarded and will continue to regard this measure as one of great national importance, every provision of which must appeal to their judgment and should receive their candid criticism. I believe that each member of the committee is striving to the best of his ability, notwithstanding the influences to which I have referred, to work out some measure that will receive the support of a majority of Congress and be acceptable to the Nation.

I want to say further, Mr. President, that in common with others I find much in the House bill to criticize and reject. Whether upon further information my views will change as to some of its provisions I do not know. I have endeavored, as far as possible, to look at this great question from the standpoint suggested by the Senator from Missouri. I believe that every Member of this body on both sides of this aisle has been actuated by the same purpose and the same motive. Nothing would give me greater concern, I might say alarm, than that this bill should assume or be required to assume a partisan aspect, and I think it will assume no such aspect unless it becomes absolutely necessary to prevent the failure of all financial legislation.

Mr. President, I am aware of the fact that others have been equally imperative in their demands that this bill must pass as have been some in their demands that certain changes shall be made. But it makes all the difference in the world, Mr. President, who speaks and by what authority, and when we find a great body of influential gentlemen, having great interests at stake, announcing a certain policy with reference to financial legislation, followed by the assertion of a man who sits higher than all in authority, that a bill must be changed according to certain lines laid down by his associates, I think it is not only a subject of proper criticism upon the floor of this Chamber but a decided indication of the trend which financial opposition is taking to this measure.

I am confirmed, Mr. President, in that conclusion by an occurrence in the city of Boston yesterday, where the American Bankers' Association is holding its session. That association, as I stated, is composed of men of the highest character and standing, men just as patriotic and just as sincere in their desire to subserve the welfare of this country as am I. But it is the statements which are made, the influence which governs, that must determine our criticism of what occurs. After a practically unanimous vote had been taken condemning this measure as socialistic in its nature, Mr. McRae attempted to be heard in protest against the resolution. It was almost impossible for him to obtain a hearing.

I am a banker myself—

He said—I read from the report of yesterday's proceedings—but I am unwilling to sanction the language of Chairman Hepburn, of the currency commission, when he charged the President and Congress of this Republic with being a pack of socialists.

Mr. President, no movement of any sort or character opposed to the interests or the views of a powerful class of people in this country can escape the charge of socialism, if by the application of that epithet it can be brought into disrepute.

The word "socialism," Mr. President, has no terrors for me. I hold no brief for the socialistic movement nor am I in any wise identified with that propaganda. But if I were compelled to choose between socialism, as I understand it, and the domination of the banking interests of the great interests of this country I would prefer socialism; and I say that deliberately, for I do not understand that that word which bears a cast of reproach by constant repetition and by the custom of attaching it to everything that relates to the varied movements of the industrial and social world deserves the stigma popular opinion seems to take for granted as one of its attributes. Socialism has taught us many things in this country; it has brought about many changes for the better; and as all movements have their extremes, so between the two extremes lie much that is good, that is desirable, that is plausible, and that is frequently necessary. If this bill be socialistic, then so be it; but if, nevertheless, it embodies something desired by the people, should it therefore be condemned by the application of a term generally applied to everything repellant to the tastes, the judgment, and the interests of those who until recently have dominated the political and industrial and economic world? Let us proceed, Mr. President:

Do not sidestep this issue—

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield to the Senator.

Mr. BORAH. One of the arguments the socialists advance is that this assembling or congregating of the different powers and business is a step in the direction of socialism. They say that the gathering of our great industries in the United States into a few corporations and gathering of commerce into three or four corporations and the assembling of them and congregating them is just a step in the direction of socialism. It might be that the bankers had in view that phase of it, because it will be found, of course, that this is an assembling of the banking power in the hands of a few men—some seven men. It is socialistic in the sense that it gathers up and assembles the banking powers. I presume that is what the bankers had reference to. The wisdom of the matter I do not now discuss, but it is just as socialistic to assemble the banking powers and turn them over to the Government as it would be the railroads.

Mr. THOMAS. Mr. President, I quite agree that the argument on which is based the conclusion that these large combinations are socialistic in their character is sound. Our school system is socialistic. The most socialistic law on the statutes of the United States is the tariff law. I disagree with the conclusion of the Senator from Idaho as to what the Boston conference meant, for it was not the thing itself to which this epithet was applied but to those who are behind it. It was declared "that the President and the Congress are a pack of socialists."

Mr. CUMMINS. Mr. President, I am interested in that. Did anyone say that the President and Congress were a pack of socialists?

Mr. THOMAS. I read again—

Mr. CUMMINS. And if so, who said it?

Mr. THOMAS. I read again. Mr. McRae, formerly a Member of Congress from the State of Arkansas and a banker, got up to defend President Wilson and Congress. I read from the World of to-day:

When Mr. McRae got up to defend President Wilson and Congress the 2,400 bankers began to howl at him.

"No! No! Question! Question!" they shouted. Mr. McRae demanded a hearing. "I am a banker myself," he said, "but I am unwilling to sanction the language of Chairman Hepburn of the currency commission when he charged the President and Congress of this Republic with being a pack of socialists."

Mr. CUMMINS. Precisely, Mr. President; but that is the statement of the gentleman who was then on his feet. That is not the statement of the chairman of the association or committee, and to whom reference is there made. I think in the same paper will be found what Mr. Hepburn said with regard to the matter. He did not say that the President and Congress were a pack of socialists, although I am not using that word in any disparaging sense.

Mr. THOMAS. Mr. President—

Mr. CUMMINS. I think a man can be called a much worse thing than to be called a socialist. But Mr. Hepburn said nothing of the kind, as I read the paper. He said that the bill was socialistic in its character, and in my own opinion you can not praise a thing more than to say that it is socialistic, if it is socialistic in the right way.

I think the Senator from Colorado is doing Mr. Hepburn a very great injustice in accepting the characterization of the man from Arkansas instead of going to the language that Mr. Hepburn actually used.

Mr. THOMAS. If I am using language which Mr. Hepburn did not use, I am unconsciously doing him an injustice. I, of course, speaking from long experience, can say without reservation that the newspapers of the country are not always entirely reliable, and it may be that this report and this statement are incorrect and do not properly represent Mr. Hepburn as he should be represented.

Mr. CUMMINS. Mr. President—

Mr. THOMAS. If that is so, I wish to withdraw every criticism based upon Mr. McRae's assertion.

Mr. CUMMINS. I am not questioning the accuracy of the report. Undoubtedly this gentleman from Arkansas did say, at least I have no reason to doubt that he did say, what the Senator from Colorado has read.

Mr. THOMAS. I understand the Senator's position perfectly; that Mr. Hepburn did not say it.

Mr. CUMMINS. That Mr. Hepburn did not say what was there attributed to him, but did say that this bill in certain features was socialistic, and I think the Senator from Colorado

will agree with me that in certain things it is socialistic, and every act of Congress ought to be somewhat socialistic.

Mr. THOMAS. I do not object to it because it is socialistic. Not at all. What I was criticizing was that the word was used as an epithet of reproach and hostility not only against the bill but against the governing body, something that characterized it as vicious and which should cause it to be rejected by the committee.

Mr. CUMMINS. I agree with the Senator from Colorado. If Mr. Hepburn had risen and said that the President and Congress are a pack of socialists, it would have been obvious that he was using those words with some sinister meaning, but he did not say anything such as is reported in the newspapers.

Mr. THOMAS. I will accept the Senator's word for that, as he has read the full report.

Mr. CUMMINS. He did not characterize them at all. He characterized this bill as one socialistic in its nature. I think we ought to be more and more careful with regard to attributing to men sentiments that they do not hold and utterances which they have never put out.

Mr. THOMAS. I quite agree with the Senator as to that and accept his assurance that Mr. Hepburn did not use the language attributed to him.

Mr. CUMMINS. We have an instance this morning. The President of the United States has been injured by just that practice.

Mr. THOMAS. Before I proceed with what I was going to say, let me further reply to the Senator from Iowa. While he may have done so, and the report does not appear in the daily press, yet I think that Mr. Hepburn should either have denied or challenged the accuracy of the statement at the time, or this bankers' convention should have given Mr. McRae an opportunity to be heard. The charge of Mr. McRae was a serious one, and I think made the same impression upon the minds of others that it made upon me. But having accepted the authority of the Senator from Iowa, I fully acquit Mr. Hepburn of any improper criticism of the Congress and the President. But, Mr. President, my principal object in referring to this report was to emphasize what afterwards occurred between Mr. McRae and the convention. Mr. McRae continued:

"Don't sidestep this issue," he went on. "The question really at stake in the currency bill is this: 'Shall the bankers of the United States control the currency of the country or shall the Government of the United States control it?'"

"We should! We should!" came in a chorus from the bankers.

There is the milk in the coconut. Shall the Government of the United States control the currency of the people or shall the bankers of the country control it? The issue is clear, well defined, and well understood; and it is fortunate that in a moment of excitement that issue was admitted so enthusiastically and so forcibly by the American Bankers' Association in convention assembled in the city of Boston.

This bill could pass to-morrow, if it were here, without reference to those criticisms that have been made of its other features, if Congress would only surrender to the banking interests of the country the power of note issue. It is needless to say that that will not be done by this Congress, and I trust in God the day will never come when the Government of the United States shall surrender to private hands the most stupendous power in its possession. A poet once said:

Let me write the songs of a nation, and I care not who writes the laws.

The bankers can well say:

Let us have the power of currency control over this country, and we care not who writes its laws.

That is the issue, Mr. President; and it is because of that issue that the incidents have occurred which inspired the discussion of this morning. There are some financial powers centered in the great city of New York that have always placed their interests above those of the Nation and above those of the people of the Nation. Those are the interests which control the currency, and through the currency the credit of the country, for with the control of the one, the other can be manipulated, and, through the agency of the stock exchange, made the most effective of all modern instruments for the transference of the property and wealth of the many to the few. This is no new manifestation; it is as old as the age of the power itself.

Mr. President, in this connection it may be interesting to read an extract from the Report on the Finances, of November 2, 1864, signed by Hugh McCulloch, Comptroller of the Currency, and William Pitt Fessenden, then Secretary of the Treasury. The report says:

Hostility to the Government has been as decidedly manifested in the effort that has been made in the commercial metropolis of the Nation to depreciate the currency as it has been by the enemy in the field; and, unfortunately, the effort of sympathizers with the rebellion and

of agents of the rebellious States to prostrate the national credit has been strengthened and sustained by thousands in the loyal States whose political fidelity it might be ungracious to question. Immense interests have been at work all over the country and concentrated in New York to raise the price of coin, and splendid fortunes have been apparently made by their success. The loyal importer and manufacturer of the East, and the produce and provision merchant of the West have locked hands with the enemies of the Republic in a common effort, although for a different object, and sometimes have produced results which have created serious apprehensions that the Union might be lost for want of means to prosecute the war, or rather on account of the excessive and unnecessary costliness of the war. The Government in its struggles with a gigantic rebellion has not only been contending with armed rebels in the field, but with unarmed rebels in the loyal States, backed by an immense interest in the hands of loyal citizens.

Gold has been a favorite article to gamble in. It has been forced up and down by those tricks and devices that are so well understood at the stock board. The reverses of our arms have been used by the operators for an "advance" to send it up and our military successes have been turned to the advantage of those who were interested in a "decline." When the banks and the Government suspended specie payments and a new standard of value was created in the legal tenders, gold and value, whose legal value had been fixed by the same authority, became an article of traffic, subject to the influences that have control of the market; and yet, unfortunately, everything necessary for use or consumption was made to follow their upward tendency, as if they were still the proper and only regulator of prices.

The effect of all this has been not to break down the credit of the Government, but to increase enormously the cost of the war and the expense of living; for however small may have been the connection between the price of coin and our domestic products, every rise of gold, no matter by what means effected, has been used as a pretext by holders and speculators for an advance of prices, to the great injury of the Government and the sorrow of a large portion of the people. It is unquestionably true that the abundance of money has facilitated the operation against the credit of the Government and that a more stringent market would have tended to check and restrain them, but it is a mistaken notion that the high price of coin is an evidence of an overissue of currency or of its depreciation. If it were generally believed that the war would be ended by the 1st of January, gold would fall before that time to 25 per cent premium, if not lower, although the paper money in circulation might in the meantime be largely increased. (From Report on the Finances, November 2, 1864, by Hugh McCulloch, Comptroller of the Currency, and W. P. Fessenden, Secretary of the Treasury.)

At that time, Mr. President, when the Nation was engaged in a struggle for its life the same interests I now criticize were utilizing the then existing conditions for the purpose of manipulating the exchanges and credits and gold of the country to their profit. Those interests, Mr. President, have always been of a sinister and disloyal character. The bonds of this country issued during the war and made necessary for the preservation of the Union were made payable in lawful money, but by manipulation they were afterwards made payable in coin and yet afterwards in gold, each successive step increasing their value and the value of the money in the hands of the men who owned and controlled these securities. Finally the last great step of all was taken when one half of the metallic money of the country was stricken down, disgraced, and demonetized, and the other half made twice as valuable as it was before. These successive steps all led and pointed to the final one—"Give us control of the issue of the paper currency of the Nation and then our power and our opportunities for absorbing the rest of the wealth of the country will have no limitation."

Mr. BORAH. Mr. President—

Mr. THOMAS. Mr. President, I want to see a good banking bill enacted, and I want to see a bill enacted that is drafted in and for the interest and welfare of the great mass of the people of the country. The very fact that these great financial powers are arrayed against this bill is, to my mind, the very strongest argument that can be advanced to-day in favor of it.

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I beg the Senator's pardon. I was unaware of the fact that he sought recognition. I certainly yield to him.

Mr. BORAH. Mr. President, in reading the report of the proceedings before the committee and trying to keep somewhat in touch with the literature of the day upon this subject I do not recall but one leading banker in New York who has expressed decided objection to the bill in its fundamental provisions.

Mr. THOMAS. Well, that is not surprising.

Mr. BORAH. Mr. Vanderbilt's testimony yesterday seemed to disclose that that class of bankers have really no objection to the bill at all, such as might be considered fundamental objections. In fact, there is one feature of the bill which has greatly interested me as probably fundamentally objectionable which they seem to approve.

Mr. THOMAS. Mr. President, I think a number of the eastern bankers have been before the committee. I recall distinctly being present once or twice when some of them were being heard. I know there are a great many bankers right in the city of New York who want to see this bill or something like it enacted. I started out by saying that the great mass of the bankers, I thought, were friendly to the general principles of this measure, and I thoroughly believe they are. But why,

Mr. President, should the men standing at the head of the financial world assume a position of outspoken opposition when, through their control of the banking world, they can secure expressions through conventions and conferences and associations which are assumed more nearly to represent the spontaneous sentiment of the banking world?

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. Certainly.

Mr. CUMMINS. I do not know what the situation is elsewhere, but in my State the opposition comes from the small bank, the bank in the town of 2,500 people and under. I should like to know, Mr. President, what the Senator from Colorado deems to be the "general principles" of this bill. He says that he thinks the smaller banks generally are in favor of the "general principles" of the bill. I should like to know what the "general principles" of the bill are, because there are many things in the bill which I heartily favor, and I do not like to hear it said here without dispute that the opposition to the bill comes from the organized selfishness of big bankers. That is not true in my State at all, and if the Senator from Colorado will develop the "general principles" of this bill we may be able to reach a conclusion much more readily.

Mr. THOMAS. Mr. President, it is not my intention to go into a discussion of the merits of the bill now. I will say, however, in answer to the Senator's question, that what I regard as the principal features of the bill—speaking, of course, very generally—are the direct issue of currency by the Government upon approved securities, the prevention of the congestion of the loose money of the country and of the greater portion of the reserves in the great centers of the country, where they are used, very naturally and perhaps necessarily, for the promotion of speculation, but which deprive outlying sections of the use of money properly belonging to them. Another general feature of the bill, which more bankers disapprove of than any other, is Government control of the reserves and of currency issues through a board appointed by the President and also consisting, ex officio, of two members of the Cabinet and the Comptroller of the Currency. I also think, Mr. President, that another feature of the bill, which is decidedly commendable in connection with those that I have mentioned generally, consists in the power that is proposed to be given to the Federal reserve board to shift the assets or the reserves of the reserve banks from one to the other as the exigencies of business or the requirements of the country may make necessary or expedient; and, above all, the taking away from a few hands of the power to control and direct the credit of the country.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. CLAPP. Mr. President, in view of the passage of the tariff bill, I think it is obvious to all, without impugning the motives of anyone, that between now and the next general election every special election for a Representative in Congress that will be held to fill a vacancy will invite the utmost effort of all who are directly or indirectly interested in the result of such election, because of the supposed bearing that that election may have upon the verdict of the people on the tariff bill.

On the 11th of September I had the honor to report from the Committee on Privileges and Elections a bill to limit the use of campaign funds in presidential and national elections, the purpose of the bill being to prevent money being sent from one State to another to be used in the election of President, Vice President, Senators, or Representatives. Without any reflection upon anyone, but simply recognizing the inherent weakness of humanity, it is our duty, so far as we can, to remove temptation, and it seems to me that it is important that this bill should be passed at an early date. This morning I ask unanimous consent for the present consideration of Order of Business 93, being the bill (S. 192) to limit the use of campaign funds in presidential and national elections.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. BRANDEGEE. I object.

Mr. CLAPP. Then, Mr. President, I ask unanimous consent that the bill may be taken up and voted on, with all amendments pending or to be offered, at the close of morning business at the next legislative session of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. BRANDEGEE. Mr. President, I will not object to the consideration of the bill, but I do object to the limitation of time as to voting upon it.

Mr. CLAPP. I will not place any limitation, but I will ask that the bill be taken up for consideration at the next legislative session at the close of morning business.

Mr. BRANDEGEE. I have no objection to that, Mr. President, but I do object to its being taken up to-day, because the unfinished business will come up at 2 o'clock, and there are only 20 minutes left.

Mr. CLAPP. Very well; I understand there is no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota that at the close of morning business at the next legislative session of the Senate, Senate bill No. 192 shall be taken up for consideration by the Senate? Is the request of the Senator from Minnesota that it should be made the unfinished business until disposed of?

Mr. CLAPP. Yes; until finished.

The VICE PRESIDENT. Is there objection?

Mr. BRANDEGEE. Mr. President, there is a matter of unfinished business on the calendar, and I do not see how we can have two unfinished businesses at the same time.

Mr. CLAPP. We can dispose of this in a very short time.

Mr. BRANDEGEE. If it is disposed of before we reach the unfinished business it will be disposed of; but if it is not it could not become the unfinished business with the present unfinished business pending.

The VICE PRESIDENT. Let us try to get an accurate statement of the unanimous-consent agreement asked by the Senator from Minnesota. As the Chair understands, it is that at the conclusion of morning business at the next legislative session Senate bill 192 shall be taken up and considered by the Senate, and that it shall then be made the unfinished business after Senate bill 136.

Mr. BRANDEGEE. I object to that.

Mr. CLAPP. Is there any objection to unanimous consent that we shall proceed to the consideration of the bill at the close of morning business at the next legislative session of the Senate?

Mr. BRANDEGEE. Not by me.

Mr. CLAPP. I make that request.

Mr. THOMAS. I do not want to object to the Senator's motion; but at the last session the Senator from Wisconsin [Mr. LA FOLLETTE] obtained unanimous consent to make Senate bill 136 the unfinished business of the Senate. He is here now.

The VICE PRESIDENT. This does not interfere with that. The request is to take up Senate bill 192 at the conclusion of the routine morning business. The unfinished business comes up at the close of the morning hour. Is there objection to the unanimous-consent agreement asked for by the Senator from Minnesota? The Chair hears none.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn until Monday next at 12 o'clock meridian.

Mr. CUMMINS. Mr. President, I assume that the motion is not debatable.

Mr. BRANDEGEE. Oh, yes; it is. It is a motion to fix the time to which the Senate shall adjourn.

Mr. CUMMINS. I am advised that it is debatable.

The VICE PRESIDENT. The Chair thinks it is debatable.

Mr. CUMMINS. I wish to say a word or two in reference to it, then.

Mr. KERN. The rules declare that such a motion is not debatable.

Mr. CUMMINS. I understand the Chair has ruled that it is debatable.

The VICE PRESIDENT. The Chair finds, upon examining the rules, that it is not debatable.

Mr. CUMMINS. I move to amend the motion by providing that when the Senate adjourns to-day it shall adjourn to meet to-morrow at 12 o'clock; and I should like to say a word about it. I suppose I may say it by unanimous consent, even though the motion is not debatable.

I am one of the Senators on this side of the Chamber who believes that the financial and currency bill should be disposed of at this session, or just as soon as it possibly can be done, having due regard to fair consideration and debate. I thought that after we had passed a tariff bill it might be well to take a month's recess to give the Committee on Banking and Currency an opportunity to hear whatever was to be said upon the bill and to prepare a report upon it, and that then we ought to come together about the 1st of November and take it up and consider it continuously until it should be disposed of.

That, however, did not meet the approval of a majority of the Senate, and it is assumed that we must remain in session. If we are to remain in session I think we ought to do business,

and do it with reasonable continuity. There are a great many very important bills before the committees, and there are a great many important bills on the calendar. We either ought to take a recess or an adjournment until we are ready to consider the currency bill, or we ought to proceed to do the business of the Senate, not only that which is before the Senate on the calendar but that which is before the committees upon reference.

I do not believe it is fair to keep us here with the understanding that we are to do nothing; that we are to meet on Monday and adjourn until Thursday, and to meet on Thursday and adjourn until Monday again. So far as I can effect it, I shall do whatever is in my power either to bring about a recess until the currency bill can be brought before the Senate—and I do not propose that now; I think the time really has passed for that—or to have the committees of the Senate meet and dispose of the bills before them, and have the Senate meet regularly and take up and consider and pass or reject the bills that are on the calendar and that will be on the calendar.

Mr. KERN. If the Senator will allow me to make a suggestion, the fact must be considered that at this time there is not a quorum in the city. There probably will be a quorum here on Monday, because of the required action on the conference report on the urgent deficiency appropriation bill. I think at that time I will join the Senator in his proposition to proceed to work; but at this time there is no use in going through the idle ceremony of meeting here when there is not a quorum in attendance.

Mr. CUMMINS. The Senator from Indiana may be mistaken about that. I rather think there is a quorum of Senators in the city.

Mr. KERN. There is not a quorum either of the Senate or of any committee of the Senate.

Mr. CUMMINS. If there is not, it is because Senators generally understand that we are not going to do anything until the Committee on Banking and Currency reports, or at least not anything of importance. If there is a quorum here, they can be easily summoned.

I am not so much protesting against an adjournment until next Monday, but I am protesting against a policy of meeting on Monday and adjourning until Thursday and continuing that until the Banking and Currency Committee shall make its report. I do not believe the committee will make its report before the middle of November, and it may be even later than that. If the committee is to continue its hearings until the 25th of October, and then take up this very important and very comprehensive subject for its own consideration, we have no reason to expect a report of the committee before the middle of November.

We must decide whether we shall continue here and do the business that is before us or whether we shall adjourn or take a recess until the time the committee is ready to report. I am quite willing to continue here. I think there is enough for us to do, and that we can do it to the great advantage of the next session, which will be congested, in view of the fact that we have done nothing at this session save consider the tariff and the currency.

I withdraw my proposed amendment and yield to the Senator from Indiana in his desire to adjourn until next Monday. I have taken this opportunity, however, to say that at that time I shall hope to press this view of mine that we should go ahead in the regular way and do the business we are here to do, if we are to remain in session.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

THE TARIFF—GENERAL BUSINESS CONDITIONS.

Mr. MARTINE of New Jersey. Mr. President, the morning hour has been occupied almost entirely with matters referring to finance and general conditions in the country. I have in my hand a circular of a very reassuring character, issued monthly by the oldest bank in the State of New Jersey, organized in 1804. I desire that the Secretary may read the portion which refers to the general business outlook. This circular comes from a conservative bank, and sets at naught the general story of what we were told to anticipate in October. I ask that the Secretary may read the first page, going over to the other side, and I should like to have it published in the Record.

The VICE PRESIDENT. Is there objection to the request that the Secretary shall read as indicated?

Mr. BRANDEGEE. Reserving the right to object, what is the bearing of this circular?

Mr. MARTINE of New Jersey. It bears on the general financial conditions of the country and the general business outlook. It is dated in October.

Mr. BRANDEGEE. I know the date; but, I mean, does it refer to currency legislation or to tariff legislation?

Mr. MARTINE of New Jersey. It refers to tariff legislation. It has no reference at all to banking.

Mr. BRANDEGEE. I had hoped we had finished with the tariff for this session.

Mr. MARTINE of New Jersey. We have; but the effects of the tariff are coming afterwards.

Mr. BRANDEGEE. They will be evidenced, I think, by the result.

Mr. MARTINE of New Jersey. Then I will ask that the circular may be printed without reading.

Mr. BRANDEGEE. I do not object to either the printing or the reading. I simply desired to be informed as to what it was. If it is rosy, I should like to hear it.

Mr. MARTINE of New Jersey. It is rosy; there is no doubt about that.

The VICE PRESIDENT. Shall the matter be read, or not?

Mr. BACON. I hope it will be printed without being read.

Mr. MARTINE of New Jersey. It is satisfactory to me to have it printed without being read. If the Senator from Connecticut desires something rosy, however, I will state to him that it is quite rosy.

The VICE PRESIDENT. In the absence of objection, the matter will be printed in the Record.

The matter referred to is as follows:

NATIONAL NEWARK BANKING CO.,
Newark, N. J., October, 1913.

It is remarkable that the outlook for general business should be so good in view of the fact that a radical change is about to take place in the tariff; that very important banking legislation is pending; that there is a world-wide condition of dear capital, and that prices are so high. But it is true that most manufacturers believe themselves able to arrange their business to meet the tariff changes and are anticipating a heavy business in the near future. So much was said early in the year about the necessity of preparing for an acute crisis in the fall that almost all business men began to curtail and strengthen their position, the result being that they are now able to adjust their business to the present condition. This provision undoubtedly averted a serious strain.

The tariff uncertainty will soon be over, the crop conditions on the whole are not bad, the general political situation is brighter, especially in regard to the troubles in Mexico; the liquid money market, while not easy, is more nearly normal, and a more optimistic feeling prevails. There is as yet no snap to business, but the general feeling is that it is coming. The number of idle freight cars September 15 was 40,150 as against 58,306 on September 1, and an average for five years at this time of 44,400. The steel business seems to be holding up, especially in the matter of exports, and the demand for copper is increasing.

It is interesting to note the statistics of the foreign trade in the United States during August as recently made public by the Department of Commerce, which show that although imports for that month fell off when compared with figures for the same month last year exports increased to such an extent that they surpassed figures of any other August on record. Imports for the month totaled \$137,704,195, while exports aggregated \$187,812,636. The figures for the same month last year were \$154,756,770 and \$167,844,871. For the eight months ending with August imports to this country were valued at \$1,156,575,670; its exports amounted to \$1,515,085,733.

Department and other local stores report an excellent trade during September, and they are placing generous orders in the belief that the fall and winter business will reach above the normal in demand. Close collections is the order of the day among local business houses, and careful consideration is given in the opening of new accounts.

Manufacturers are for the most part encouraged over the increased number of orders, and some are working to full capacity. The importance of Newark's manufacturing interests is evident when it is considered that there are 252 distinct lines of industry here, 50 lines each turning out values of from one to thirty million dollars a year, and with the world as their market. The local manufacturing jewelers report that the demand for their products is very good, and it would not be at all surprising if they had the largest business in several years. This fact is an excellent indication of general good conditions. An optimistic frame of mind is also to be found in the leather trade. Among manufacturers as a whole a healthy increase of orders is noticeable, and this will become more pronounced with cooler weather.

RECORDS OF IMPEACHMENT TRIALS.

Mr. BACON. I offer a Senate resolution for which I ask present consideration. Before the request is put I wish to say a word. I should like to have the resolution read.

The resolution (S. Res. 190) was read, as follows:

Resolved, That the Committee on the Judiciary be directed to examine and report to the Senate the measures necessary to gather and place in proper form the complete record of each impeachment trial which has been had by and before the Senate of the United States, with the view to the publication of the same in a suitable and uniform series of volumes; and to make such other recommendation in regard thereto as may be deemed proper by the committee.

Mr. BACON. Mr. President, I wish to say that, so far as the later impeachment trials are concerned, there is no particular difficulty, because they were quite fully reported and gathered in volumes. All of the later ones, since the impeachment of President Johnson, are in volumes. The records of the earlier impeachment trials, however, have never been placed in anything like complete volumes showing what occurred. Some of them are in little pamphlets, mere synopses of what occurred. The proceedings of the trials are to be found in the records of Congress and can be easily gathered together and placed in

such form that they may be published uniformly, perhaps, with those which have already been published as the later volumes.

I think it really important that this shall be done, as these are records of most important trials. It has been said that the Impeachment Court is the highest court known to our law; and certainly the records of that court, the records of these trials, are entitled to as careful preservation as the records of our other courts.

Mr. SUTHERLAND. Mr. President, I did not quite understand the resolution offered by the Senator from Georgia. My attention was diverted. Does the Senator propose to have printed, and so far as may be necessary reprinted, the volumes of all the impeachment trials that have been had?

Mr. BACON. The resolution simply directs the Judiciary Committee to inquire into the matter to see what is necessary. It may be that the committee will find that the volumes of the later trials are now sufficiently printed; that all that will be necessary will be to have the earlier volumes printed in similar form, and that the later ones will not have to be reprinted. The records of the earlier trials, however, have never been collected together in volumes which adequately record what occurred.

It is true, I repeat, as to all the later trials—those which have occurred since the Civil War—that the records are quite complete, and the volumes are possibly in sufficiently good form not to have to be reprinted; but the earlier reports have never been properly printed. It may be that the Judiciary Committee will find it is only necessary to print the earlier ones, making them of uniform size and style with the publications already made of the later impeachment trials.

Mr. SUTHERLAND. I quite agree with the position of the Senator from Georgia about that. The earlier trials are not recorded in any accessible form, as I discovered when I undertook to make some study of the subject.

Mr. BACON. I hope it may be found that it will not be necessary to reprint any of the later ones.

Mr. SUTHERLAND. I think it very important that they should be printed, and I quite agree with the purpose of the resolution.

The VICE PRESIDENT. Does the Chair understand that the resolution also calls for a recommendation from the committee with reference to the procedure in impeachment trials?

Mr. BACON. No; it does not. It has no reference whatever to anything except gathering together these records and having them printed in proper form.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was considered by unanimous consent and agreed to.

ELECTION OF SENATORS.

Mr. POINDEXTER. Mr. President, observing that the chairman of the Committee on Privileges and Elections is about to leave the Chamber, I should like before he goes to ask him a question in regard to the bill (S. 2860) which was referred to the committee a short time ago, providing as an emergency measure a method of conducting elections of Senators under the seventeenth amendment to the Constitution. I should like to ask if the Senator can give me any information as to the present status of that measure and the prospect of its being reported out of the committee. The matter is one in which a great many States are interested, and a great many people are interested in some early disposition of the question.

My information is that the committee had referred the measure to a subcommittee, with instructions to report it out. Whether it has agreed upon the final form or not I do not know, but my purpose is to call attention to it and to the importance of some action being taken upon it, and to get some information, if possible, from the chairman of the committee as to the present status of the bill.

Mr. KERN. The measure was referred to a subcommittee. The subcommittee reported a substitute to the full committee at its last meeting, and I think typewritten copies of the substitute have been furnished the members of the committee. The matter doubtless will be disposed of at the next meeting of the committee and reported within a short time thereafter.

Mr. POINDEXTER. I trust that will be done, so we can get the bill before the Senate. I thank the Senator for the information.

Mr. SUTHERLAND. May I ask the chairman of the committee if he expects to have a meeting of the committee soon?

Mr. KERN. Within the next week or two.

Mr. SUTHERLAND. This is a subject that ought to be dealt with, I think, with some promptness. The matter has been pending here for a considerable time. The subcommittee

has considered the proposed bill and has agreed upon a substitute, I understand. I think there would be no difficulty in having it reported, as I understand the attitude of mind of the various members of the committee.

I take the liberty of suggesting to the chairman of the committee that it would be well if a meeting of that committee could be called very soon, so that we could take up the subject and dispose of it.

THE MERCHANT MARINE.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which is Senate bill 136.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, it is not my purpose to press the bill for consideration at to-day's session. After I make a request and ask to have some printing done, I will ask to have it temporarily laid aside.

Before that, however, Mr. President, I should like to say that I do not press the bill for consideration to-day because I am advised that some members of the committee, among others the chairman of the committee, are absent from the city and that many of them are not advised that Senate bill 136 has been made the unfinished business. I wish to give an opportunity for the members of the committee and all Members of the Senate who are interested in this legislation, and who desire to be present, to be here when it is considered.

I understand that the Senate has already agreed that when it adjourns to-day it will meet on Monday.

Mr. KERN. Yes.

Mr. LA FOLLETTE. To-day is Thursday. I think perhaps if the notice were given to-day that the bill would be taken up next Monday it would give opportunity for Senators who are absent to be here.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. VARDAMAN. I wish to suggest to the Senator from Wisconsin, as I said personally to him on the floor, that when this bill was reported by the committee it was understood by some members of the committee that it was not to be considered at this session. I agree with the Senator from Wisconsin that some legislation is very much needed, and I join with him in his desire that the matter shall be pressed at the earliest possible moment. I think, however, that next Monday would hardly give the Senators who are interested in the measure time to return. One of them I know has been here since the convening of Congress last year and he has a little private business at home that he is now attending to. I wish to suggest to the Senator from Wisconsin that it might be better to fix the time, say, next Wednesday.

Mr. LA FOLLETTE. I had some discussion personally with members of the committee who were present on the floor during the session this morning—the Senator from Mississippi, among others—and also with the senior Senator from Florida [Mr. FLETCHER], who reported the bill and who gave me information that makes just a slight correction in the statement of the Senator from Mississippi as to the understanding of the committee. I see the Senator from Florida is now on the floor. I was about to say that I understood from the Senator from Florida that the understanding when the bill was reported from the committee was that, so far as the wishes or views of the members of the committee were concerned, they preferred that the bill should not be considered at this session, but that the question of consideration was a matter which the Senate would have to determine. Do I state that correctly, I inquire of the Senator from Florida?

Mr. FLETCHER. I think that is quite correct.

Mr. LA FOLLETTE. I am certainly desirous that all Senators who would care to participate in the discussion should have the opportunity to be present. Perhaps we might right at this time agree that the bill should be taken up on Wednesday of next week and its consideration continued from day to day until, say, Saturday of next week at 4 o'clock, when we might vote upon it.

Mr. VARDAMAN. Mr. President, the purpose of my suggestion to the Senator from Wisconsin was that especially two Senators, the Senator from Arkansas [Mr. CLARKE], the chairman of the Committee on Commerce, and the Senator from Ohio [Mr. BURTON], might be permitted to finish up their pri-

vate affairs at their homes and be here by that time, because I know that they are very anxious to be present when the bill is considered.

Mr. LA FOLLETTE. My attention was diverted just for the moment. Did I understand the Senator to say he thought that would give them an opportunity to be here?

Mr. VARDAMAN. I would think so.

Mr. LA FOLLETTE. That would give them an entire week. Then I will make the request in this form:

I ask unanimous consent that on Wednesday, the 15th of October, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, and so forth, and that not later than Saturday, the 18th of October, at 4 o'clock on that day—

Mr. WILLIAMS. The calendar day.

Mr. LA FOLLETTE. On that calendar day the Senate will proceed without further debate to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through its regular parliamentary stages, to its final disposition.

Mr. LEA. I should like to ask the Senator from Wisconsin if he would change those dates to Thursday, the 16th, and Monday, the 20th, for the reason that a committee of which I am a member has an engagement that will take us out of town on Saturday, and perhaps 11 Members of the Senate will be absent.

Mr. LA FOLLETTE. I will make that substitution of those dates.

Mr. BRANDEGEE. Mr. President, I have no objection to the portion of the agreement that provides as to proceeding to the consideration of the bill immediately after the morning business on any day, but I know at least one and, I think, other Senators are absent who want to be heard upon the bill extensively. I do not think that unanimous consent for the termination of debate upon the bill ought to be given now in their absence. I would not object myself, and I am not making this objection for myself, but simply speak from what has been said to me. I am quite confident that they desire to be here, and they are away. I do not know what their engagements are and whether they can return in time.

I assure the Senator from Wisconsin I am not making any captious objection to the agreement at all; but I wish he would defer his request for unanimous consent until the next meeting of the Senate, so that if after those gentlemen have had notice that such a request was made, and those gentlemen care to do so, they themselves may appear and object, if they see cause. I will not object, because I have not been requested to do it, and I have no objection myself, but I simply state what I have in mind.

Mr. LA FOLLETTE. If the Senator thinks that the time would not be sufficient for a full discussion of the measure, and that we should vote upon it on Tuesday, or even upon Wednesday—I do not wish to curtail debate at all.

Mr. BRANDEGEE. I have no doubt of that. I know the Senator wants to be perfectly fair about it, and I have no idea—

Mr. LA FOLLETTE. There are very urgent reasons why this legislation should be enacted. It goes to the safety of human life upon the sea, and we are in peril every hour of having repeated just such a disaster as shocked the entire world a little more than a year ago.

I do feel, Mr. President, that we ought to dispose of this legislation as soon as it can be done in an orderly and proper way.

Mr. BRANDEGEE. I have no doubt of that myself, and I have no disposition to thwart it in any way. I am uninformed as to the provisions of the bill; as far as I am concerned, I do not expect to take part in the discussion of it; but I hope to learn the merits of it from the debate; and, of course, I shall read the bill. I have not read it; I do not know what its merits are. I am utterly unable to form an opinion as to whether two days or three days or four days will be sufficient for the discussion that Senators will want to give it. I do not intend to object.

Mr. LA FOLLETTE. I understand.

Mr. BRANDEGEE. I simply leave it to the Senator.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I yield.

Mr. THOMAS. I was simply going to say that the Senator from Wisconsin has been here constantly during the summer. It has been a very long session and one of a very arduous character. A few of us have stayed here upon the theory that the

Senate of the United States was the place where a Senator should be when the Senate is in session. The Senator from Connecticut has been very regular in his attendance here. Of course, Senators have to leave frequently upon urgent business.

It seems to me, in view of the fact that the Senator from Wisconsin has been here right along giving his time and attention constantly to the public business, when he states that he has a measure which is of prime importance, one which ought to be enacted at this session, particularly if the Senate has no other important business before it, time should to some extent be given according to his idea of what is necessary and proper under the circumstances.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. LA FOLLETTE. I yield.

Mr. ASHURST. While I do not happen to have the honor to be a member of the committee which reported this bill, I must not let this occasion pass without saying here that I am extremely pleased that the bill has been reported. I have given the bill considerable study, not only during this session but during the last session. Before I came to Congress I gave a bill somewhat similar to this measure much study.

This bill has for its object the promotion of the safety of human life at sea. Do we need another *Titanic* disaster to convince us of our duty on this bill? How much longer must we delay when matters of such supreme importance are before us? The bill not only promotes the safety of passengers and the crew of the vessel at sea, but it also has for its beneficent purpose the abolition of a very odious form of involuntary servitude that has been carried on and imposed upon many helpless seamen.

We are here; Congress is supposed to be in session; and we ought in good faith to the people of the United States manfully to legislate on all subjects upon which we have jurisdiction or manfully adjourn.

I join with those who say we ought not to ping-pong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn—I was about to say resign; yes, if we can not do our work we ought to resign.

I earnestly hope that no objection will be made, for this bill or some bill of this same general character should have been passed years ago.

Mr. BRANDEGEE. Mr. President, just a word. Some of the Senators, at least, who desire to be heard on this bill are absent. It has been generally understood by Senators on both sides that we were adjourning three days at a time for a report on the banking and currency bill. It has also been assumed by Senators who have gone away that if contested matters were to be brought up Senators would raise the question of a quorum. That question has not been raised to-day; but the Senator from Wisconsin asks for a unanimous-consent agreement to take up this bill and to vote upon it and all amendments on a certain day. The question of the particular day or the time, in my opinion, is of not so much importance. By count there are not to exceed 19 Senators upon the floor out of a body of 95, and the unanimous consent of these 19 binds all the other absent Senators.

I think that Senators who are away should be informed that this request has been made to-day and is going to be made again, so that they could be here to speak for themselves.

As I have said, I shall not object to this consent if the Senators think that it is fair to the absentees who are away on the kind of reliance or understanding I have indicated; but there is always more or less trouble about unanimous-consent agreements when Senators feel that they are cut off in what they want to say, although I agree they have no excuse for protesting against anything that is done while they are away, if it is done under the rules of the Senate. They should be here to protect themselves.

The Senator from Arizona [Mr. ASHURST] has indicated by his expression "ping-ponging" what has been happening here for some time, adjourning three days at a time because nobody wanted to press any contested matter. If that game is to be stopped—and it ought to be stopped, in my opinion—Senators will be here to protect their right.

Now, I have said all I care to say.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. I do.

Mr. SHEPPARD. I think the Senate ought to understand that it was the understanding in the Committee on Commerce

that if this bill was reported it would not be considered until the regular session.

Mr. ASHURST. Will the Senator yield to me?

Mr. SHEPPARD. In just a minute. And the members of that committee who are absent went away with that understanding in their minds. It is for the Senate to say whether that understanding of the committee should be observed on the floor. I think it due to them that the statement ought to be made here.

Mr. LA FOLLETTE. The Senator from Texas will remember that when the bill was reported and laid before the Senate in the presence of those Senators, members of the committee who had attended at that session of the committee which agreed to report it, and when it was attempted to have it go to the calendar, the proposition was made that it should go to the calendar with the understanding that it should not be taken up at this session, thereupon I interposed an objection and it went to the calendar, subject to be called up at any time. So that these Senators were advised then that the Senate had not followed their wishes in that regard.

Mr. SHEPPARD. I recall the occurrence to which the Senator alludes, and I thought it due to those Senators to make the statement to-day. I am in hearty sympathy, as the Senator knows, with this legislation.

Mr. LA FOLLETTE. I know it.

Mr. FLETCHER. Mr. President, when the bill was reported by the committee, as the RECORD shows, it was with the statement that in the judgment of the committee action should not be taken on the measure until the regular session next December. That was the judgment of the committee, and there are a number of members of the committee who are away and who are interested in this subject and want to be present when it is discussed.

I would suggest to the Senator from Wisconsin that perhaps as far as he ought to go to-day, in justice to those absent Senators, is to state that on a certain day—on Monday, for instance—he would ask unanimous consent for a time to take up the bill and vote upon it. In other words, I scarcely feel that it would be fair to those members of the committee who are absent to-day to agree that on a certain date we would dispose of the bill. I think perhaps the Senator will be willing to give notice that on Monday next he will ask for that consent. That perhaps is as far as we ought to go in justice to those who are absent, believing that the matter would not be taken up at this session of Congress.

Mr. LA FOLLETTE. I do not think that any wrong can be done to any Senator if time enough is allowed for debate of the bill. It has waited consideration for 22 years, and I do not think that the matter of senatorial convenience should be strained to the last point to postpone consideration of the bill any longer, and I am going to ask unanimous consent that—

Mr. ASHURST. Before the Senator makes that request may I make an observation? Certainly the precedent should not be established that the creature of the Senate, the committee of the Senate, can in any way bind the action of the Senate. If that be true, then the creature could rise higher than its creator, because the committee is the creature of the Senate. The committee might take the view that the bill ought never to be considered. That could not bind the Senate if the Senate saw fit to consider the bill. Therefore, while I have the most profound respect for all the members of the committee and for the view of the committee and in its idea that it would not be expedient to proceed to the consideration of the bill now—

Mr. VARDAMAN. The committee is not seeking to bind anybody.

Mr. ASHURST. I say it could not in any way seek to bind the Senate or bind a Senator who is not a member of the committee and preclude him from moving to proceed to the consideration of this bill.

Mr. WEEKS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. I do.

Mr. WEEKS. The senior Senator from Ohio [Mr. BURTON] has been called from Washington on account of some important engagements. Before leaving Washington he said to me that he is interested in this legislation, and he hoped to be able to get back before it was given consideration in the Senate. I am interested myself, but my time is being taken entirely at the hearings of the Banking and Currency Committee, and I was surprised when I found that this bill had been made the unfinished business. I am quite sure the Senator from Wisconsin wishes to give everyone who is interested in this legislation and wishes to take part in the debate reasonable opportunity to be present. I can be myself, I suppose, by neglecting

duties in other places, but I think the senior Senator from Ohio, who is a member of the committee, would be very much embarrassed if he were asked to return here before the middle of next week. Therefore I hope in asking unanimous consent that the Senator from Wisconsin will take that into consideration.

Mr. LA FOLLETTE. Mr. President, I was about to make my request that the bill be taken up on Thursday, the 16th of October, and that following the usual form of the request the vote be taken at 4 o'clock on the 22d of October.

Mr. WILLIAMS. The calendar day?

Mr. LA FOLLETTE. The calendar day. That allows a full week for debate, and I do not think that anyone, whether present or not, can have any reason to complain of such an agreement.

The VICE PRESIDENT. This seems to be a free discussion. The Chair has no right to say anything; but the Chair suggests that on account of the absence of the President pro tempore, the chairman of the committee, the date should be made the 23d.

Mr. LA FOLLETTE. Certainly.

Mr. WEEKS. Mr. President, may I suggest to the Senator from Wisconsin that the time he names for the commencement of the debate seems to be perfectly satisfactory, but the time of closing the debate and taking a vote on the bill, it seems to me, should be determined when the members of the committee are here, and especially those who are largely interested in the proposed legislation. I hope the Senator will limit his request for unanimous consent to the proposition to commence the debate.

Mr. LA FOLLETTE. I could not do that, because I do not have to ask unanimous consent to commence the debate.

Mr. WEEKS. I understand; the bill is the unfinished business.

Mr. LA FOLLETTE. If it is to run without limit, I must seek to get it up for debate on Monday.

Mr. WEEKS. I will not object to the request.

The VICE PRESIDENT. The Secretary will state the request made by the Senator from Wisconsin.

The SECRETARY. The Senator from Wisconsin [Mr. LA FOLLETTE] asks unanimous consent that on Thursday, October 16, 1913, immediately upon the conclusion of the routine morning business the Senate will proceed to the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, and so forth, and that not later than 4 o'clock p. m., Thursday, October 23, 1913, the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The order is entered.

Mr. LA FOLLETTE. I wish to have printed for the convenience of the Senate the letter written by Secretary Redfield and Secretary Wilson to the chairman of the Senate Committee on Commerce. I have the letter as printed in my hand, but it bears no document number. I understand the edition has been exhausted from the files and I ask to have a reprint made of it. (S. Doc. No. 211.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 2 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, October 13, 1913, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 9, 1913.

REAPPOINTMENT IN THE ARMY.

QUARTERMASTER CORPS.

Brig. Gen. Henry G. Sharpe to be brigadier general in the Quartermaster Corps for the period of four years.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander David F. Sellers to be a commander.
Lieut. Commander Joseph M. Reeves, an additional number in grade, to be a commander.
Ensign Cary W. Magruder to be a lieutenant (junior grade).
Paymaster Timothy S. O'Leary to be a pay inspector.

Asst. Paymaster Ulrich R. Zivnuska to be a passed assistant paymaster.

Lieut. John M. Enochs to be a lieutenant commander.

Lieut. John P. Jackson to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Gardner L. Caskey,

Albert C. Read,

Robert A. Theobald, and

Fletcher C. Starr.

Passed Asst. Surg. John D. Manchester to be a surgeon.

John T. Borden, a citizen of North Carolina, to be an assistant surgeon.

POSTMASTERS.

ARIZONA.

Carmen Robles, Sonora.

KANSAS.

Elmer H. Epperson, Scott City (late Scott).

KENTUCKY.

J. D. Caudill, Morehead.

W. B. Crabb, Eminence.

O. D. Procter, Adairville.

MINNESOTA.

Charles Spillane, Waseca.

OHIO.

John P. Grassbaugh, Big Prairie.

Henry Holzbach, Hubbard.

L. W. Kunning, New Bremen.

TEXAS.

H. M. Stevenson, Breckenridge.

VIRGINIA.

S. C. Cox, Galax.

HOUSE OF REPRESENTATIVES.

THURSDAY, October 9, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth, who hast set Thy glory above the heavens.

Out of the mouths of babes and sucklings hast Thou ordained strength.

We come to Thee in our weakness praying for strength, in our ignorance praying for light, in our sins praying for forgiveness, in the temptations, perplexities, and discouragements of life praying for inspiration and courage, that we may press toward the mark for the prize of the high calling of God in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONSERVATION EXPOSITION AT KNOXVILLE, TENN.

Mr. GOULDEN. Mr. Speaker, I desire to make a statement in reference to the RECORD of Tuesday in reference to the absence of a number of gentlemen who went under the direction of the House to attend the Conservation Exposition at Knoxville, Tenn. Among those recorded I find the following gentlemen, on page 6085, as being absent, but while in the discharge of a duty, whereas their names appear as failing to answer and therefore they may be subject to criticism in their respective districts. The names are the Speaker of the House, Mr. ADAMSON, Mr. AUSTIN, Mr. CANTRILL, Mr. FRANCIS, Mr. GOULDEN, Mr. JOHNSON of Washington, Mr. KAHN, Mr. LANGLEY, Mr. MOON, Mr. RAKER, Mr. SMITH of Idaho, and Mr. STRINGER. In this connection I also desire to ask unanimous consent while upon the floor to extend my remarks in the RECORD so as to print the admirable patriotic address made by Speaker CLARK upon the occasion of our visit to Knoxville before a vast assemblage in the auditorium of the exposition, a highly creditable and successful one, published in the daily press of that enterprising city.

Mr. ADAMSON. Mr. Speaker, reserving the right to object, I wish to call attention to the fact that that committee was absent by a vote and order of the House. They not only were charged with the duty of encouraging the purposes of that exposition, but they were in the personal charge of the Speaker and the Sergeant at Arms, and it would be an irreparable loss to the world to lose the Speaker and nobody here could get along without the Sergeant at Arms. [Laughter and applause.]

Mr. GOULDEN. I thank my colleague from Georgia for his statement.

ENROLLED JOINT RESOLUTIONS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

H. J. Res. 111. Joint resolution to authorize the reinstatement of Adolph Unger as a cadet in the United States Military Academy; and

H. J. Res. 132. Joint resolution authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

OHIO FLOOD REPORT (H. DOC. NO. 246).

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I wish to submit a request for unanimous consent. A day or two ago, at the request of the gentleman from Ohio [Mr. BATHRICK], an order was made authorizing and directing the printing of a document relating to the flood situation in the Ohio Valley to the number that could be printed under the \$500 limit. The Public Printer subsequently communicated with me, because it was at my request that the document had originally been printed, to say that \$500 would print 180,000 copies, which is very much more than anybody wanted. I saw the gentleman from Ohio [Mr. BATHRICK], and he said that 25,000 would be all that was needed. I ask unanimous consent, therefore, that the order be so modified as to authorize the publication of 25,000 of those documents instead of 180,000.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent that the previous order made by the House as to printing the flood reports be so modified as to authorize the printing of 25,000 copies. Is there objection?

Mr. MANN. Reserving the right to object, it is a very good illustration of the improvidence and danger of the House in ordering printing without any knowledge of the subject. The proposition now is to print 25,000 copies of the document, really an excessive number, where the House had ordered 180,000. Without somebody knowing about it, the consent ought never to be granted.

Mr. BATHRICK. I will say to the gentleman that an examination of the report as it appeared before the House seemed to indicate that \$500 would not print anywhere near that number. The Committee on Printing were not present, but those familiar with the cost thought that \$500 would cover, under the circumstances, all that were needed.

Mr. MANN. I will say to the gentleman from Ohio that there is an officer of the Printing Office right here near the Hall of the House. It is very easy to ascertain at any time the cost of any document.

Mr. BATHRICK. It was intended as a compromise, in view of the objections that were made, to have a certain number printed, and the gentleman will understand that it is not always practical to leave this floor when a motion is made in order to consult a printer about the cost.

Mr. MANN. Well, it is always feasible before a motion is made, and before the gentleman comes into the House to make a motion, to ascertain the information.

Mr. BATHRICK. This subject was presented to the House and it came up spontaneously.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. HOWARD, indefinitely, on account of the serious illness of his mother.

To Mr. FARR, indefinitely, on account of critical illness in his family.

To Mr. RIVERA, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. KREIDER was granted leave to withdraw papers filed in support of the bill H. R. 3382, Fifty-eighth Congress, first session, to remove the charge of desertion from the record of John F. Kelly, no adverse report having been had thereon.

ELECTION TO A VACANCY ON THE COMMITTEE ON WAYS AND MEANS.

Mr. UNDERWOOD. Mr. Speaker, I desire to move the election of Mr. MICHAEL F. CONRY, of New York, to fill a vacancy on the Committee on Ways and Means.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the election of Mr. MICHAEL F. CONRY, of New York, to fill a vacancy on the Committee on Ways and Means. The question is on agreeing to that motion.

The motion was agreed to.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HARDWICK. Mr. Speaker, I present a privileged report from the Committee on Rules. (H. Rept. 90.)

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] presents a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution (H. Res. 275) to provide a special order for the consideration of H. R. 7898, having considered the same, beg leave to report it back to the House with the recommendation that it be adopted.

House resolution 275.

Resolved, That immediately upon the adoption of this order the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, together with the amendments of the Senate thereto, be taken from the Speaker's table, that the amendments of the Senate thereto be disagreed to in gross, that the conference asked by the Senate be agreed to, and that the Speaker, without intervening motion, appoint managers on the part of the House.

Mr. HARDWICK. Mr. Speaker, I move the previous question on the resolution.

Mr. MANN. Mr. Speaker, I make a point of order that this is a report which the Committee on Rules has no authority to make, and hence it is not a privileged report.

The Speaker will notice that clause 56 of Rule XI, in reference to reports from the Committee on Rules—page 310, paragraph 725—referring to the Committee on Rules, provides:

Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Now, the rule reported from the Committee on Rules, prepared by my distinguished friend from New York [Mr. FITZGERALD], provides that immediately the Senate amendments be disagreed to, the conference asked for be granted, and that without intervening motion the conferees be appointed by the Speaker. That is in direct conflict with this rule of the House, and with the construction heretofore made by the present Speaker of the House. On a former occasion, in the last Congress, when the distinguished gentleman from Texas [Mr. HENRY], chairman of the Committee on Rules, reported a similar rule providing that a motion to recommit should be cut out, I made a similar point of order, and it was sustained by the Chair.

Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. HARDWICK. Was it on a motion to send a bill to conference?

Mr. MANN. No; but that does not make any difference.

Mr. HARDWICK. It makes a great deal of difference.

Mr. MANN. Oh, no. The Speaker heretofore has ruled that the motion to recommit is in order on Senate amendments. On the Post Office appropriation bill last year, when I was making a fight to have the parcel-post proposition inserted in the Post Office appropriation bill, a somewhat similar rule, which was not subject to this point of order, was brought in.

It did not cut out the motion to recommit, and I made the motion to recommit, although otherwise the situation was identical, and the Chair sustained the motion to recommit.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. FITZGERALD. Suppose this rule contained a clause excepting the motion to recommit, what motion to recommit could be made?

Mr. MANN. A motion to commit, which is the same thing as the motion to recommit, could be made, and it was made by me on the Post Office appropriation bill last year after a rule had been brought in providing for the disagreement to all of the Senate amendments and the sending of the bill to conference.

Mr. FITZGERALD. But the gentleman is mistaken. The rule was brought in after the conference report was made.

Mr. MANN. The gentleman is not mistaken.

Mr. FITZGERALD. At that time a motion to commit was in order.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] ought to be better posted and is better posted. The gentleman from New York himself, when the tariff commission bill came before the House in the closing days of the Sixty-first Congress and laid upon the Speaker's table, insisted upon his right to move to commit the bill to the Committee on Ways and Means, on the Senate amendments, and the Speaker, Mr. Cannon, sustained his contention, and he made the motion.

Mr. FITZGERALD. I made the motion to recommit a bill that was brought in by a conference report.

Mr. MANN. I beg the gentleman's pardon. There was no conference report on the tariff commission bill. It lay on the Speaker's table, with Senate amendments, and had gone no further. The gentleman's recollection is not as accurate as it usually is. The precise question arose on the motion to commit many times, and when last year the Post Office appropriation bill laid upon the Speaker's table, with Senate amendments, the gentleman from Tennessee [Mr. GARRETT] introduced a rule to provide that it should be in order to move to disagree to the Senate amendments and ask for a conference, and that conferees be appointed. At that time that order was passed, and the Speaker immediately named the conferees. The next morning I raised the point of order that the Senate amendments had not been disagreed to, that the rule only provided that it should be in order to disagree to them. The Speaker sustained the point of order, and received my motion to commit the bill to the Committee on the Post Office with instructions. The gentleman from Tennessee offered a motion to amend. That is the way the parcel post came along.

There can be no question that this rule cuts out the motion to recommit. There can be no question that the motion to recommit is in order, and the rules specifically provide that the Committee on Rules can not report a rule which cuts out the motion to recommit, and therefore this is not a privileged report.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Illinois has not been quite as ingenious on this occasion as he usually is.

Mr. MANN. It does not take any ingenuity, this is so plain.

Mr. FITZGERALD. Let me read the rule:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present—

That is the Calendar Wednesday rule—

nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Paragraph 4 of Rule XVI, the part applicable and referred to in the rule quoted by the gentleman from Illinois, is as follows:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.

If at any time the previous question can be ordered under this rule upon the passage of this bill, the gentleman's point of order might be good; but there is no possible chance in disagreeing to these amendments to have any action taken by the House under this rule that results in the passage of the bill.

The gentleman has refreshed my memory regarding the tariff commission bill. That bill came from the Senate with certain Senate amendments. A rule was reported that the House should agree to the Senate amendments in gross, and it was held that the rule providing for the agreement to those amendments was equivalent to the passage of the bill, and under such circumstances a motion to recommit would be in order.

Mr. MANN. The rule was brought in to agree to the Senate amendments en bloc—a case on all fours.

Mr. FITZGERALD. Not at all. The rule provided for the agreement to the Senate amendments, the effect of which was to pass the bill, and therefore the motion to recommit would be in order. The rule is clear:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order.

The Committee on Rules shall report no rule to prevent such a motion being made, but under the rule reported by the Committee on Rules at this time the previous question is not to be ordered on the passage of the bill, and the vote to be taken by the House will not pass the bill. It is to prevent the passage of the bill in its present form. I submit it is clear that the motion of the gentleman from Illinois is not well taken.

Mr. MANN. Mr. Speaker, it is strange what small holes some gentlemen try to crawl through.

Mr. FITZGERALD. The hole will be large enough for the gentleman from Illinois to crawl through.

Mr. MANN. The precise question as to whether a motion to recommit is in order was raised by the gentleman on the tariff commission bill when a rule was presented to agree to the Senate amendments, and Mr. Speaker Cannon held that the motion to recommit was in order. The precise question now before the House—exactly the same—was raised on the Post Office appropriation bill, when it was proposed under a rule to disagree to all of the Senate amendments.

The SPEAKER. The Chair would like to ask the gentleman from Illinois a question for information. What does the gen-

tleman say about this last sentence of subdivision 4, Rule XXVI?—

After the previous question shall have been ordered on the passage of the bill or joint resolution, one motion to recommit—

And so forth—
shall be in order.

This is not on the passage of the bill or a joint resolution, is it?

Mr. MANN. Yes.

Mr. FITZGERALD. Oh, no.

Mr. MANN. That is what it is.

Mr. FITZGERALD. It is on the adoption of this order.

The SPEAKER. It is one step to get rid of this bill, but surely the gentleman will not contend it is on the passage of the bill.

Mr. MANN. Why, it is on the passage of the bill. If the matter gets before the House and I move to concur in the Senate amendments, that disposes of the bill, that is a vote on the final disposition of the bill; but the rule does not mean you have got to pass the bill before you can move to recommit it.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will permit, if this rule is adopted there never would be an opportunity for the gentleman to make the motion to concur in the Senate amendments. If it is not adopted, then the gentleman under the rule can have his opportunity, so the question of the adoption of this rule does not pass the bill in any sense.

Mr. MANN. Oh, it is not necessary to pass the bill; you can not determine whether a bill is passed until you have a vote on it.

The SPEAKER. There is no obscurity about this thing.

Mr. MANN. Not the slightest.

The SPEAKER. After the previous question shall have been ordered on the passage of a bill or joint resolution, and so forth, one motion to recommit shall be in order.

Mr. FITZGERALD. Mr. Speaker, I desire to call the attention of the Chair to the rule which was reported on the tariff commission bill, referred to by the gentleman from Illinois on the 4th of March, 1911:

Resolved, That when the bill H. R. 32010, "An act to create a tariff board," shall have been received from the Senate the Speaker shall immediately, without regard to pending business, lay it before the House, and thereupon the previous question shall be considered as ordered on a motion to concur in the Senate amendments in gross.

That is on the motion to concur in the Senate amendments in gross.

The SPEAKER. That is practically the passage of the bill.

Mr. FITZGERALD. That is the passage of the bill, and therefore the motion to recommit after the previous question was ordered under the rule was in order and Mr. Speaker Cannon so held, but the adoption of this order does not put the bill upon passage; in fact, it prevents any attempt to pass the bill.

Mr. MANN. Mr. Speaker, we went over this matter very thoroughly on the Post Office appropriation bill last year.

Mr. FITZGERALD. Where is the gentleman's reference? I do not recall it. I desire to see what happened.

Mr. MANN. My reference is here.

Mr. FITZGERALD. A good many things, Mr. Speaker, in the gentleman's head—

Mr. MANN. But that is not all; I was here at the time and the gentleman probably was not.

Mr. FITZGERALD. That is not correct, but at the same time, in view of the fact that the gentleman got somewhat involved in reference to what happened on the floor March 4, I should like to look over the reference.

Mr. MANN. I stated what took place in reference to the tariff commission bill and the gentleman stated entirely differently.

Mr. FITZGERALD. Well, I corrected my statement. I admit that the gentleman corrected me in part, and I accepted that correction.

Mr. MANN. I stated what took place. Now, Mr. Speaker, we argued that last year on the Post Office appropriation bill. When the rule provided for the appointment of conferees at once and making it in order to disagree to all the Senate amendments in gross, the Speaker held that on that motion we were entitled to a motion to recommit the bill. What is the motion to recommit the bill for? To give the minority under the existing rules an opportunity to test the temper of the House upon the proposition. There are two rules in reference to a motion to recommit—one making it in order to move to recommit generally and one providing that even after the previous question is ordered there shall be a motion to recommit; and the Speaker then held, as I recall it, that the rule meant that the motion to recommit was to be saved to the minority

and that the Committee on Rules could not cut out the motion to recommit at any time where it was provided in the rule.

What is the purpose of this rule? To prevent the motion to recommit. They would have a right to make the motion to recommit. Would the Speaker hold that, if we had in the House this bill and proceeded to pass through all the parliamentary stages, but no motion for the previous question was actually made, then we would not have the right to move to recommit, and that the motion to recommit depends upon the previous question? Not at all. The motion to recommit comes in in spite of the previous question under paragraph 4 of Rule XVI, and we have the right under the rules to move to recommit the bill before it is put on its final passage. Under the rulings both of this Speaker and previous Speakers we have the right to move to recommit a bill which has Senate amendments pending in the House.

Mr. SHERLEY. Mr. Speaker, the exception on the power of the Committee on Rules to report a rule is confined to a particular motion to recommit. And that motion came into being in order to prevent the minority being denied an opportunity of presenting its position before final disposition of a matter. That was the reason for the rule. Now, here there can be, by a disagreement to the Senate amendments, no final disposition of the bill. The minority are not denied the opportunity that will come later on in the consideration of this bill of presenting their proposition, and the only exception made to the power possessed by the Committee on Rules was, I repeat, in order to prevent the final disposition of a matter so far as this House is concerned without giving to the minority an opportunity to be heard. But here, by the very action of the rule itself, there can be no final disposition of this matter so far as the House is concerned, and therefore the exception does not apply.

Mr. MANN. Now, Mr. Speaker, one word more.

Mr. SAUNDERS. Mr. Speaker—

Mr. MANN. Just one word more.

The SPEAKER. The gentleman from Illinois states that he wants just one word more.

Mr. MANN. The gentleman from Kentucky made an exceptionally clear statement of the purpose of the rule, but he did not go quite far enough. If the motion to recommit can not be made now, it never can be. It can not be made when the conference report comes in. The conference report is not subject to a motion to recommit.

Mr. FITZGERALD. Oh, yes; it is.

Mr. MANN. I beg the gentleman's pardon.

The SPEAKER. Of course it is.

Mr. FITZGERALD. If the gentleman will permit me, the gentleman from New York [Mr. PAYNE] made a motion to recommit the conference report on the Payne tariff bill.

Mr. MANN. I can not help whether he did or not—

The SPEAKER. If the gentleman will permit, the other day when these questions were floating around here in the air and being threatened, the Chair took particular pains to investigate that question. And the Chair has no doubt in his mind whatever that you can make a motion to recommit a conference report, and make it with instructions at that.

Mr. MANN. If the Chair went far enough, the Chair discovered that after one body has acted on a conference report the motion to recommit can not be made.

The SPEAKER. After the conferees of the other House have been discharged.

Mr. MANN. After the conference report has been acted upon by one body the conference report can not be made, and hence it is a pure matter of argument as to whether it can be made, and hence we have a right to assert we would not have an opportunity to make a conference report. Now, unless we have a right to move to recommit now we will never have the right to move to recommit.

The SPEAKER. If the gentleman will permit, he does not contend that if this rule be adopted it passes this bill, does he?

Mr. SHERLEY. It does not do that.

Mr. MANN. It passes it so far as making a motion to recommit is concerned.

Mr. SAUNDERS. Mr. Speaker—

The SPEAKER. What does the gentleman make of the language of subsection 4?

Mr. MANN. I make the same thing that the Speaker himself made when he ruled on the Post Office bill.

The SPEAKER. The Chair makes the same distinction now.

Mr. SHERLEY. If the Speaker will permit, I should like to suggest another matter: The Senate having asked a conference and the conference being ordered, the matter will have to come to this House before the Senate can act on it, and therefore the

condition that the gentleman presents when a motion to recommend would not be in order on a conference report can not arise as to this particular matter.

Mr. MANN. That practice has not been followed since the Democrats have had control of the House.

The SPEAKER. It never was violated but once—

Mr. MANN. It has been violated a number of times.

The SPEAKER (continuing). And it is very questionable whether it was violated then.

Mr. MANN. It was violated several times.

The SPEAKER. On the tariff bill in the Sixty-second Congress the Senate was entitled to the papers, and the gentleman from Alabama [Mr. UNDERWOOD] came in here with the report and the papers. The gentleman from Illinois [Mr. MANN] raised the point that the Senate was entitled to the papers, and the Chair interrogated the gentleman from Alabama [Mr. UNDERWOOD] as to how he obtained the papers; whether he threw the Senate conferees down and took them away vi et armis, or whether they delivered them to him, or how he got hold of them. And he explained that the Senate conferees, whether they agreed in terms or not, showed their disposition to let him have the papers, and under that state of affairs the Chair ruled his way.

Mr. MANN. And the Chair having so ruled, it was done a number of times since.

The SPEAKER. It was not disputed.

Mr. MANN. Oh, what's the use? It was disposed of.

Mr. SAUNDERS. Mr. Speaker, the plain difference in the situation as presented to the House is this: The rule in one case looked to the passage of the bill and the rule in the present instance looks to keeping from passing the bill at this time. That being so, of course the objection urged by the gentleman from Illinois is not valid.

Mr. HELM. Mr. Speaker, a parliamentary inquiry. Would a motion to instruct the conferees to agree to amendments numbered 5, 6, 7, and 8 be in order now?

The SPEAKER. The Chair thinks not.

Mr. MANN. It is not before the House yet.

The SPEAKER. Not as a rule. Let us see what it is. The resolution reads:

Resolved, That immediately upon the adoption of this order the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, together with the amendments of the Senate thereto, be taken from the Speaker's table; that the amendments of the Senate thereto be disagreed to in gross; that the conference asked by the Senate be agreed to; and that the Speaker, without intervening motion, appoint managers on the part of the House.

The Chair does not think that it comes within section 4 of Rule XVI, and overrules the point of order.

Mr. HARDWICK. Mr. Speaker, I demand the previous question on the adoption of the resolution.

Mr. SHARP. Mr. Speaker, before the gentleman does that, I want to offer an amendment or I want to offer it at the proper time, if it is in order.

Mr. MANN. The proper time has gone by.

The SPEAKER. The Chair did not understand what the gentleman from Ohio [Mr. SHARP] said.

Mr. SHARP. I wish to know, Mr. Speaker, whether an amendment to the resolution offered by the gentleman from Georgia [Mr. HARDWICK] is now in order?

The SPEAKER. If you vote down the previous question, any amendment that is germane can be offered.

Mr. HELM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELM. If this rule is adopted, will the Members of the House who are in favor of agreeing to Senate amendments Nos. 5, 6, 7, and 8 have an opportunity to vote on that proposition?

The SPEAKER. If the previous question is ordered?

Mr. HELM. Yes.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield there?

Mr. HELM. Yes.

Mr. FITZGERALD. Does the gentleman have in mind the amendment exempting the deputy collectors from civil-service examinations?

Mr. HELM. Yes; the amendment relating to collectors.

Mr. FITZGERALD. That amendment will be brought back here, and the House will have an opportunity to vote on it.

The SPEAKER. The matter that the gentleman from Kentucky [Mr. HELM] inquires about is not in order. The regular order is on agreeing to the motion for the previous question.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands the yeas and nays. Those in favor of ordering the

yeas and nays will rise and stand until they are counted. [After counting.] Forty gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] One hundred and sixteen gentlemen have arisen in the negative. Forty is a sufficient number, and the yeas and nays are ordered. The Clerk will call the roll. Those in favor of ordering the previous question will, when their names are called, answer "yea"; those opposed will answer "nay."

The roll was called.

The SPEAKER. On this vote the yeas are 144, the nays are 56, answering "present" 8—not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The vote is on the previous question. Those in favor of ordering the previous question will, when their names are called, answer "yea," and those opposed will answer "nay."

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is that the correct procedure?

The SPEAKER. The Chair thinks it is. It has been done both ways—the way the gentleman is thinking of and the way the Chair is thinking about. If the Chair could make a rule, he would make it so that there would be no more roll calls, but that the Clerk would be directed to call the names of those who came in later. That, however, is not the rule, and the Chair is not authorized to fix it in that way.

Mr. MANN. The rule in reference to an automatic call provides that where a quorum is not shown and anyone objects to the vote for that reason, there shall be an automatic roll call. That rule does not provide for an automatic roll call where the roll is being called. If the Speaker orders another automatic roll call and some gentleman who has answered on this call fails to answer on the other, the Speaker does not add any in making a quorum.

The SPEAKER. If the Chair happens to see him, he will add one.

Mr. MANN. If he be not in the Chamber, the Chair might have to hunt around to see the absentees, and the Sergeant at Arms has not seen them yet.

The SPEAKER. What is the gentleman's contention? The roll call does develop the fact that there is no quorum present, and the Chair is bound to take notice of that fact.

Mr. MANN. Certainly. The question is whether the roll call should stand and possibly the House order the absentees to be brought in. We did this once before, Mr. Speaker, on one occasion, when a roll call failed to develop a quorum, I believe, on a division in the Committee of the Whole. In any event a quorum failed to develop. We had a vote, and then another vote, and then we had another vote, which, of course, might go on ad infinitum, for some Members who would be recorded on one roll call might be absent on the next.

We are in a position where I am very anxious to develop a quorum, and I hope that all who are recorded on this roll call will keep their names on the next roll call until we get enough others to make a quorum.

Mr. UNDERWOOD. Mr. Speaker, I think the question has been decided both ways, and both practices have been followed by the House; but I think the safer way is that when the House finds itself without a quorum, under the circumstances that exist now, it is for the Speaker to order the doors closed and send for absentees and let them vote on this roll call.

The SPEAKER. On the one that is being had?

Mr. UNDERWOOD. On the one now being had.

The SPEAKER. That is exactly what the Chair stated awhile ago, that if he had the ordering of it he would order it that way.

Mr. BARTLETT. Mr. Speaker, I desire to call the attention of the Chair to the fact that Rule XV, paragraph 4, provides for the proceeding:

Whenever a quorum fails to vote on any question and a quorum is not present and objection is made from that cause, unless the House shall adjourn there shall be a call of the House, and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered.

Mr. MANN. Mr. Speaker, that rule is where it contemplates the point of order being made that no quorum is present where the vote is taken without a roll call.

The SPEAKER. Evidently that is the case.

Mr. BARTLETT. I think, Mr. Speaker, the gentleman from Illinois is not exactly correct, because it says the roll shall be called and the Sergeant at Arms shall proceed to arrest Members and bring them in to make a quorum.

The SPEAKER. If the gentleman will read the first part of the section, he will see it says, "Where objection is made." That evidently has reference to the fact it is not a record

vote, but when there is a record vote the Chair must take cognizance of the fact that there is a quorum present or not.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. When the call of the House discloses the absence of a quorum, can not the Speaker direct the Sergeant at Arms to bring in absent Members in order to make a quorum under this rule?

Mr. MANN. Mr. Speaker, without having looked up the precedents recently, my own opinion would be that the House, pending the roll call, would have the right to order the Sergeant at Arms to arrest absentees and bring them before the House. The gentleman from New York [Mr. FITZGERALD] shakes his head, he may be correct.

Mr. FITZGERALD. That is my own opinion. Upon the demand for the yeas and nays, the roll being called, the absence of a quorum is ascertained. Now, there must be a call of the House either automatically or by order of the House in order to determine who the absentees may be.

Mr. MANN. That is already determined.

Mr. FITZGERALD. No; because Members may be present and not voting.

Mr. MANN. If Members are present, the Speaker has the right to designate them under the rule so they can be counted as present.

The SPEAKER. The Chair did that a few moments ago in the case of Mr. FAISON.

Mr. FITZGERALD. In my opinion, under the practice, a call of the House must be one way or the other, either automatically or by order of the House, and I am inclined to think the Speaker is justified on a roll call under the rule, a quorum not being disclosed, in automatically ordering the call.

Mr. MANN. Well, the question is whether he automatically orders a call on this same question and we vote on the same question over again.

The SPEAKER. Now, here is the rule:

Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause—

Now, that is on the other kind of vote, where you stand up or call out "aye" or "no," and does not apply to a roll call, evidently—

unless the House shall adjourn, there shall be a call of the House and the Sergeant at Arms shall forthwith proceed to bring in absent Members—

That is his duty without the Speaker saying a word, although the Speaker does say—

and the yeas and nays on the pending question shall at the same time be considered as ordered.

Mr. SLAYDEN. Mr. Speaker, does that mean the yeas and nays shall be reordered on the pending question or continue on the question under which we are operating?

The SPEAKER. The Chair will rule—and if anybody differs, he can appeal—that the Sergeant at Arms bring in Members who have not voted on this roll and let them vote on the roll call.

Mr. BARTLETT. Mr. Speaker—

Mr. BROWNING. Mr. Speaker—

Mr. BARTLETT. Mr. Speaker, as I understand the rule, the Sergeant at Arms not only brings in the absent Members, but he detains those who are here.

The SPEAKER. The Chair saw 6 or 8 or 10 Members march out of here in a body just now.

Mr. BARTLETT. I want to call the Speaker's attention to the fourth volume of Hinds' Precedents, paragraph 3045, which says that the duty of the Sergeant at Arms shall be, without any action of the House, to detain those who are present, and without any order of the House bring those who are absent to the House.

The SPEAKER. The rule does not seem to be very clear. It says:

Whenever a quorum fails to vote on any question, and a quorum is not present, and objection is made for that cause—

Evidently that has nothing to do with where a roll is called—unless the House shall adjourn there shall be a call of the House—

That is automatic—

and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each Member as he answers to his name may vote on the pending question, and after the roll call is completed each Member arrested shall be brought by the Sergeant at Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded.

It seems that rule contemplates a roll call.

Mr. BROWNING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWNING. I voted "nay," but I withdrew my vote and voted "present," as I had a pair with my colleague Mr. SCULLY. He has since come into the Hall. Can we both vote now if we wish to do so?

Mr. MANN. Well, Mr. Speaker, that question is perfectly plain. The gentleman from New Jersey [Mr. BROWNING], of course, has the right to have his name called again and to vote as he pleases. The Speaker has the right to designate the gentleman from New Jersey as "present," and then he has the right to vote.

The SPEAKER. The trouble about that is the Speaker has already announced the vote.

Mr. MANN. That is not the final announcement, because the Speaker announced the vote as it stood then. It is not a final vote.

The SPEAKER. The Clerk will call the name of the gentleman from New Jersey [Mr. BROWNING].

The Clerk called the name of Mr. BROWNING, and he voted "nay."

The SPEAKER. The Clerk will call the name of the gentleman from New Jersey [Mr. SCULLY].

The Clerk called the name of Mr. SCULLY, and he voted "yea."

Mr. FITZGERALD. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] offers the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 278.

Resolved, That all leaves of absence heretofore granted, except on account of sickness, are hereby revoked, and the Sergeant at Arms is instructed to notify the absent Members by telegraph of the passage of this resolution.

[Applause.]

Mr. BUTLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTLER. Is that in order until we have a quorum?

Mr. FITZGERALD. It is in order. I have two precedents for that.

The SPEAKER. The Clerk will call the name of the gentleman from North Carolina [Mr. FAISON].

The name of Mr. FAISON was called, and he voted "yea."

Mr. FITZGERALD. I refer to section 3004, volume 4, of Hinds' Precedents. A similar resolution was offered on the 10th day of September, 1890, identical in terms, and it was held to be in order as a part of the proceedings necessary to enable the House, under the Constitution, to require the attendance of a quorum. It is apparent that the House must assert its power to compel Members to come here in order to transact the public business.

The SPEAKER. The question is on the resolution of the gentleman from New York [Mr. FITZGERALD].

The question was taken, and the resolution was agreed to.

The SPEAKER. The Sergeant at Arms will act accordingly. The common sense of the situation in which the House finds itself is this—it may not be the rule—that as the call of the House is ordered the vote stands as it is until somebody else comes in to vote. That is what the Chair thinks of it.

Mr. BARTLETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. It is the duty of the Sergeant at Arms also to bring the Members in?

The SPEAKER. The House has just ordered him to bring them in. The Chair simply announced it.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. If there is no objection to the fact that there is not a quorum, do we not constructively have a quorum to do business?

The SPEAKER. No. That is one of the things that is imperative on the Chair, that under the Constitution and the rule he is called on to decide whether there is a quorum when the roll is called.

Mr. FESS. Without anybody raising an objection?

The SPEAKER. That objection goes to a vote that is not a record vote. For instance, the Chair puts the question, "Those in favor will say 'aye' and those opposed 'no,'" and decides it one way or the other. Then some gentleman demands a division. The Members stand up and are counted, when finally somebody demands tellers, and you get the count by tellers. It does not show a quorum present, but the Chair does not have to take cognizance of that unless somebody raises the point. Then the rule applies. Neither the Chair nor anybody else can get around a roll call.

Mr. SAUNDERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS. Heretofore warrants have been issued to absent Members, but owing to adjournment later those warrants have failed. It seems to me it would be necessary now to have warrants issued to all absent Members even if that motion had not been made.

The SPEAKER. That is true under the old style of roll call, but not under this.

Mr. SAUNDERS. Under the automatic call?

The SPEAKER. Yes.

Mr. SAUNDERS. That would be true under the automatic call, but I think at least warrants should be issued for absent Members.

The SPEAKER. That is true.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Are we now waiting for a quorum to develop on this roll call?

The SPEAKER. That is what we are doing.

Mr. MANN. I move that the Sergeant at Arms be directed to arrest absent Members and that the Speaker be directed to sign warrants for their arrest.

The SPEAKER. The gentleman from Illinois [Mr. MANN] moves that the Speaker issue warrants to absent Members and that the Sergeant at Arms serve them and bring them in.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Under the automatic order that the Speaker stated was had under the rules will not the Sergeant at Arms proceed without the order of the Speaker for the arrest of the Members?

The SPEAKER. The Chair believes he can.

Mr. MANN. He can notify absent Members.

Mr. RAKER. I was asking directly whether under that automatic order, if the Speaker does not issue his warrant, the Sergeant at Arms can proceed and arrest the absent Members without the motion?

The SPEAKER. The Sergeant at Arms might not want to take the chance of being sued, but the Speaker can, under the rule, hold that the Sergeant at Arms has the right to go out and arrest them without a warrant.

Mr. MANN. This is not an automatic call of the House. When a quorum has failed to develop on a roll call and the yeas and nays are demanded, the House has authority to send for absent Members. The Sergeant at Arms has no authority to arrest them unless he is directed by a vote of the House.

The SPEAKER. The Chair will put the question. The question is on agreeing to the motion of the gentleman from Illinois [Mr. MANN].

The question was taken, and the motion was agreed to.

Mr. RAKER. Mr. Speaker, another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. The warrant of arrest is signed and issued by the Speaker and delivered to the Sergeant at Arms. This may be telegraphed and the Members may be arrested at their homes under such a warrant. Is not that correct?

Mr. BARTLETT. Wherever they may be found.

Mr. RAKER. I want to get the thing straight.

The SPEAKER. Whenever the House orders it they can be arrested.

Mr. RAKER. I may put it this way: Can not the Sergeant at Arms telegraph, for instance, to California or to Nevada a warrant of arrest issued by the Speaker and arrest Members there?

The SPEAKER. The Chair does not think he can. That would be a very loose way of exercising authority.

Mr. RAGSDALE. Mr. Speaker, is there not a law requiring a forfeiture of \$25 a day from the salary of every Member for every day he is absent from the House without leave?

The SPEAKER. The Chair does not know whether it is exactly \$25, but it is a sum of money equal to \$7,500 divided by 305.

Mr. BARTLETT. Mr. Speaker, there is an old statute which provides that Members who are absent without leave shall be mulcted a certain amount of their pay. The Sergeant at Arms shall deduct from their pay during the time they are absent without leave. During the Fifty-third Congress that was done. Mr. Speaker Crisp directed the Sergeant at Arms not to pay men who were absent without leave of the House during the period they were absent.

A number of them were mulcted in that way, and I know that some of them have never yet been able to have the money returned to them, because since I have been in Congress there has been a resolution before the Committee on Accounts asking that the money thus deducted be returned to those Members.

The SPEAKER. The Chair remembers very well that he was mulcted himself for two days during the time that he was down in Virginia making Democratic speeches.

Mr. SHARP. What Congress was that?

Mr. BARTLETT. The Fifty-third Congress.

Mr. MANN. My recollection is that it was afterwards repaid. An appropriation was afterwards made to repay it, and if it be deducted now the same thing will be done again.

The SPEAKER. The Chair knows that he never got his part of it.

Mr. MANN. The Speaker probably did not go after his two days' pay.

Mr. BARTLETT. Mr. Speaker, I know a resolution has been introduced before the Committee on Accounts, and I believe it has come up here on the floor of the House. I do not remember that it ever was passed. There is such a law on the statute books, and it is regarded as obsolete unless sought to be enforced.

Mr. MANN. All some gentleman has to do is to demand of the Sergeant at Arms that he obey the law.

The SPEAKER. Speaker Reed used to sneer at it as a police-court regulation.

Mr. MANN. It hardly comes up to the dignity of that.

The SPEAKER. It is the business of the Sergeant at Arms. It is not the business of the Speaker.

Mr. BARTLETT. I understand that, Mr. Speaker.

Mr. GARRETT of Tennessee. How is the Sergeant at Arms to determine that?

The SPEAKER. He will have to take a man's word for it.

Mr. BARTLETT. He can determine it by an examination of the roll call and the Journal, which will show who has leave of absence.

Mr. MANN. I do not know whether he can determine it by a roll call or not. I know I shall endeavor to help him do it for the next 60 days by having one each day.

Mr. McGUIRE of Oklahoma appeared at the bar of the House.

Mr. McGUIRE of Oklahoma. Mr. Speaker, I am paired with the gentleman from Oklahoma, Mr. CARTER, and therefore can not vote, but I desire to answer "present."

The SPEAKER. The gentleman will be recorded as answering "present."

Mr. FESS. Mr. Speaker, on yesterday, in Ohio, I received a telegram stating that I was needed in Washington, and asking me to respond at once. I sent a telegram in reply that I would be here. I notice that these warrants must be signed by the Speaker and attested by the Clerk. I would like to know whether the Speaker signed the warrant, and I would like to know whether the Clerk, who, I understand, is absent, attested the warrant.

The SPEAKER. The Speaker pro tempore signed the warrant and the Chief Clerk of the House has the right to sign the Clerk's name, under special resolution of the House.

Mr. FESS. That resolution was passed in the last Congress. Has it been adopted in this Congress?

The SPEAKER. The Chair does not know.

Mr. FESS. I do not think it has.

The SPEAKER. The Chair is rather inclined to believe that that is a statute.

Mr. FESS. In looking over the RECORD, I find that a resolution was passed in the last Congress. I do not think it has been passed in this.

The SPEAKER. What sort of a resolution was it?

Mr. FESS. Authorizing the Chief Clerk to sign the name of the Clerk in the absence of the Clerk.

The SPEAKER. Was it a joint resolution?

Mr. FESS. I think it was.

The SPEAKER. Then it is a part of the law of the land.

Mr. MANN. I think it was not a joint resolution, Mr. Speaker, but a House resolution, and the rules of the House have been adopted since it was passed, because that was in the last Congress.

Mr. FESS. Would that be counted as one of the rules?

Mr. MANN. Certainly not.

Mr. FESS. Then the laws of the last Congress would not include that?

Mr. MANN. We have not adopted the rules of the last Congress.

Mr. FOSTER. I call the attention of the gentleman from Ohio to the fact that that is a part of the rules of the House which were adopted at the beginning of this session. I refer to the Chief Clerk having the right to sign in the absence of the Clerk. That is a part of the rules of the House that were adopted at the beginning of the session.

Mr. GARRETT of Tennessee. Mr. Speaker—

The SPEAKER pro tempore (Mr. SAUNDERS). For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to ask the gentleman from Georgia [Mr. BARTLETT], who is one of the gentlemen in charge of this bill, if it would be feasible to fix a day in the future and give notice that upon that day this bill will be called up.

Mr. BARTLETT. For action on the conference report?

Mr. GARRETT of Tennessee. No; I mean on the rule.

Mr. BARTLETT. Mr. Speaker, I apprehend if I shall answer it will have to be by unanimous consent.

Mr. GARRETT of Tennessee. Well, of course, I am proceeding in that way, as nobody objected.

Mr. BARTLETT. Therefore I presume, Mr. Speaker, I am to proceed by unanimous consent, subject to objection. This bill having quite a number of important provisions and a number of Senate amendments in it, I think that the conferees upon the part of the Senate and upon the part of the House, and acting upon the idea that I would be one of the conferees, having heretofore been one upon the conferences on deficiency bills, would not find much difficulty in being able to make a report to the House.

I do not say reach a final agreement, because probably we will not be able to reach a final agreement at once, but I do not believe that the conferees on the part of the House and Senate would find much difficulty in coming to such a stage in the conference that we should not be able to report to the two Houses in a very short while. Of course there are certain things in the bill on which the conferees on the part of the House would not be willing to finally act, and will not unless the House by a vote first acts upon them. Now, I would not say whether it is feasible to designate any particular day to send this bill to conference. I am afraid to say that because the moment you do that the Members who are here probably would leave the city and would not return unless you force them to return.

Mr. GARRETT of Tennessee. If the gentleman will permit me just there, I had wondered if it would be feasible to set a day, say in the early part of November. Are there involved in this bill matters of such moment as that they should be acted upon at once?

Mr. BARTLETT. I am glad the gentleman asked that question. So far as I am concerned, I am unwilling—and I speak only for myself as a member of the Committee on Appropriations and as a Member of this House—to consent that this bill shall not be pressed to a consideration as soon as possible. There is involved in this bill some very important items. We have in this bill a provision of \$39,000 for the examination—

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. I have no desire to prevent the gentleman from discussing the bill, if we can have some agreement about a division of time. I suppose an agreement can not be formally made, but if the gentleman is going to tell us about the meritorious things in the bill, I would like to refer to—

Mr. BARTLETT. I called attention to the fact that I am only proceeding by unanimous consent.

Mr. MANN. Proceed; I did not hear the gentleman say that, although I know that and so did the gentleman.

Mr. GARRETT of Tennessee. I also knew it.

Mr. MANN. I am not criticizing the gentleman.

Mr. BARTLETT. I premised my statement by saying that I would not make any statement except by unanimous consent.

The SPEAKER pro tempore. It was so understood by the Chair.

Mr. BARTLETT. And I am perfectly willing my friend should have any time he wants. Assuming, Mr. Speaker, I may proceed, I will say there is in this bill a provision of \$39,000 to enable the Civil Service Commission to hold examinations in all fourth-class post offices that pay over the sum of \$480 per annum. And this affects every fourth-class office and the appointment of fourth-class postmasters.

The Civil Service Commission have not the funds, and they can not hold these examinations for the appointment of fourth-class postmasters until this bill shall pass. There are some 300 sites of public buildings provided for in the public buildings act of March 4, 1913. This bill contains a provision of \$30,000 to authorize the inspection and the selection of those sites. There is a provision of nearly \$400,000 in this bill to authorize the Interstate Commerce Commission to proceed to make physical valuation of railroads.

There is in this bill an amendment from the Senate which takes from the classified service the deputy marshals and

deputy United States internal-revenue collectors, which the constituents of many Members of this House and Members of the Senate think of very great importance, they having been placed under the civil-service law by executive order in 1906, finally.

There are also deficiencies of money in the various departments, which the departments insist are necessary, and which are necessary, in order to carry on the public business.

I think, Mr. Speaker, answering the gentleman's inquiry, that this bill carries enough important items to demand that the representatives of the people should come here, make a quorum, and vote and pass it. As is true with many others, at much inconvenience to myself, I have remained here, not having been at my home for six months, or out of the city hardly a week altogether, with the hope of passing this bill, which contains so many important appropriations for the Government and legislation in the interest of the people. I think it is the duty of every man on both sides of this House to be here now, or to come here as soon as possible, and pass this bill, and, so far as I am concerned, I shall not consider any proposition for a postponement of it.

Does the statement answer the gentleman?

Mr. GARRETT of Tennessee. I think it does. The gentleman knows, of course, that there are a very large number of us who, without undue self-exploitation, may claim some proper credit for remaining here at very great embarrassment.

Mr. BARTLETT. I have stated that I have done that myself at great inconvenience.

Mr. GARRETT of Tennessee. And, unfortunately, there are a great many who do remain here who are just now being punished by the absenteeism of a number of Members. I had wondered if it would be feasible to fix a day, say, in November, and give notice that upon that day the bill would be passed. That notice would go to the country, and there would then be full opportunity, and I have no doubt a quorum could appear at that time.

Mr. FITZGERALD. I will not be here then.

Mr. BARTLETT. I do not think they will come any faster then than they are coming now.

Mr. FITZGERALD. Under the law the Committee on Appropriations for the last five or six years has gone to Panama to examine the estimates there. A conservative estimate is that those visits have resulted in a saving of at least \$10,000,000 in the work on the canal. Arrangements have been made for the committee to leave on the 8th of November in order to be back in time for the regular session. At this time in the preparation of estimates arrangements are to be made for the permanent organization of the canal force, and it is perhaps more imperative than ever that the examination be conducted on the Isthmus. So a date in November for the consideration of this bill, I think, is impracticable.

Mr. BARTLETT. Of course I was simply speaking for myself, I will say to the gentleman from New York. He will understand I was not undertaking to speak for him.

Mr. FITZGERALD. I understand. I was just explaining this situation to the gentleman from Tennessee [Mr. GARRETT].

Mr. BARTLETT. I am satisfied the gentleman from New York [Mr. FITZGERALD] would not be willing to consent that this bill would be displaced until every effort was made to get a quorum.

Mr. FITZGERALD. I believe that Members should be here in order to pass this bill and furnish funds imperatively required for certain branches of the public service.

Mr. GARRETT of Tennessee. Can the gentleman from New York suggest any way by which one who has worked day and night through the hottest part of the year in about the most delicate committee service he has ever worked on could get some kind of relief from this situation?

Mr. FITZGERALD. If the gentleman from Tennessee does not go away voluntarily, he should be sent away very soon, in order to get some opportunity to recuperate, because of the arduous labors imposed upon him in the heat of this summer as chairman of the committee appointed to investigate certain charges.

Mr. MANN. The gentleman from Tennessee [Mr. GARRETT] has had arduous labors, but he is not the only one. I take it that everybody has had arduous labors, and we all want and all need a vacation. There is no possible excuse for keeping them here next month doing nothing.

Mr. FITZGERALD. The statement of "arduous labor" on the part of Members of the House reminds me of a statement that was made in the law school by one of the professors. He was accustomed to make the statement that it was a presumption of law that all lawyers had an equal knowledge of

the law, but it was a very violent presumption. [Laughter.] The same is true about the arduous labors of Members of Congress. The presumption is that the labors of all are equally arduous, but it is a pretty violent presumption.

Mr. MANN. My observation in connection with Members of the House is that every Member who comes here does hard work; and while I have seen a good many Members who plume themselves with the idea at times that they do all the hard work, yet when you figure around you will sometimes find some man who is not conspicuous before the House who is doing just as much work—

Mr. FITZGERALD. Or more—

Mr. MANN. Yes; or more than those who are more prominent on the floor of the House. I do not say that in detracting of the gentleman from Tennessee [Mr. GARRETT], because we all recognize that he has had arduous labors this summer.

Mr. GARRETT of Tennessee. The labor that the gentleman from Tennessee has performed on that committee has not been any more arduous upon him than it has been on all the members of the committee, irrespective of party. This should be said in justice to them. So far as my experience has gone, it has been the best working committee I ever saw. For days and days we sat from 10 o'clock in the morning until 5 o'clock in the evening, and then sat at night; and with the exception of once or twice, when one or two members were compelled to be absent on the floor of the House, every member of the committee, of all parties, was present and participating in the proceedings. The labors of the chairman have not been more arduous than those of the other members of the committee.

Mr. MANN. The members of the committee have done great work, but not more than other Members have done. I was feeling pretty good myself, and yet I went home for a couple of weeks. I freely admit it. I was not worried about roll calls in the House. I spent a couple of weeks out of doors, and came back feeling like a fighting cock.

Mr. FITZGERALD. And acting like one. [Laughter.]

Mr. MANN. And I leave it to the House to determine as to the fact. [Laughter.]

Now, I know perfectly well that if the House or the Congress should adjourn this week or next week and go home and take a vacation until the first Monday in December it would be to the interest of the Government and to the interest of legislation. The Members would do a great deal better work and much better tempered work when they came back.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. MANN. Certainly.

Mr. BARTLETT. Does not the gentleman think, however, that we ought to pass this bill before we go home?

Mr. MANN. Oh, this bill could be passed by the House in less than 15 minutes if the other matter were settled.

Mr. BARTLETT. We could not settle that now.

Mr. MANN. Who can settle it? Does the gentleman mean he must go up to the other end of the Avenue in order to settle it?

Mr. BARTLETT. Oh, no. Permit me to say that the gentleman does not understand me. I meant the House could not settle that question. It takes the concurrent action of both Houses to do that.

Mr. MANN. The House has not passed any concurrent resolution as yet, although it has the right to.

Mr. HARDWICK. Mr. Speaker, I offer the following resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 277.

Resolved, That except as to the revocation of leaves of absence and the arrest by the Sergeant at Arms of absent Members of the House, as heretofore ordered, all further proceedings under the call of the House be, and the same are hereby, dispensed with.

Mr. MANN. Mr. Speaker, may I ask to have that read again?

Mr. HARDWICK. I have no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the resolution again.

The resolution was again read.

Mr. HARDWICK. Mr. Speaker, the motion that I offer is one that is perfectly in order at this stage of the proceedings, and one which, of course, will be followed by a motion to adjourn, to be made by the gentleman from Alabama [Mr. UNDERWOOD].

I want to say just this: We have been proceeding for the last few days on the theory that less than a quorum could not adjourn from day to day without destroying the call entirely.

Mr. MANN. I have not entertained such a theory.

Mr. HARDWICK. I have not been proceeding on that theory myself, but that is the theory upon which the House has been acting. Of course that is not the rule, as the gentleman from Illinois [Mr. MANN] says he himself understands. This question was decided in the Fifty-third Congress by Mr. Speaker Crisp. On an order presented by Mr. Blount, of Georgia, like the order I have presented, when a point of order was presented, Mr. Crisp held this:

It seems to the Chair that it must be competent for the House in the present situation to continue the order of arrest, notwithstanding an adjournment. A recess can not be taken in the absence of a quorum, and a motion for a recess is not in order pending a call of the House. If an adjournment dispenses necessarily, notwithstanding the desire of the House to the contrary, with all proceedings under the call, including the order for the arrest of absent Members, then if the House wanted to send for a Member, say, in Texas, it would have to stay in session until the Sergeant at Arms could go there and return. The House could not adjourn without causing the proceeding to fail, and could not take a recess in the absence of a quorum. So that it seems to the Chair it must be in the power of a minority of the House, when a call has been entered upon, to adopt a resolution to continue the order of arrest and then to adjourn, the Constitution contemplating that less than a quorum may adjourn from day to day and may also enforce the attendance of absent Members. It seems, therefore, to the Chair that this resolution is in order.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Will the gentleman yield?

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. HARDWICK. To which gentleman? Does the gentleman from Illinois, Mr. FOSTER, desire me to yield?

Mr. FOSTER. Yes.

Mr. HARDWICK. I yield to the gentleman.

Mr. FOSTER. We are, it seems to me, in this sort of a situation, where it requires a certain number of Members to make a quorum, and there are, say, over a hundred Members at this time who have not answered to their names. Now, suppose the House should take an adjournment and we permitted all the Members here to go away—that is, out of the Hall. Theoretically, the Hall is locked to keep the Members here. Now, they are turned out, permitted to go, the doors are opened. What are you going to do with the Members who are here to-day whose arrest has not been ordered, but who may not be present to-morrow to answer to a roll call? It seems to me that that may prove to be a ridiculous proceeding and accomplish nothing. Let us stay in session until we get a quorum.

Mr. HARDWICK. Did the gentleman from Illinois desire to ask me a question?

Mr. MANN. I desire to ask a question and submit an observation. The gentleman proposes to dispense with certain proceedings under the call. There has been no call of the House.

Mr. HARDWICK. Yes; there has been an automatic call, if the gentleman will pardon me.

Mr. MANN. That is what I thought the gentleman had in his mind. The precedent that the gentleman has is based upon an automatic call. There was no technical call, but a regular call of the House. The only thing that has been done since the absence of a quorum was disclosed was to revoke leaves of absence and order the Sergeant at Arms to arrest absent Members.

Mr. HARDWICK. Yes.

Mr. MANN. The gentleman says he proposes to dispense with "other proceedings" under the call. There was no call and no "other proceedings."

Mr. HARDWICK. The Speaker held to the contrary, if I understood his ruling, that a call resulted automatically, because a vote of the House on a question pending disclosed that a quorum was not present.

Mr. MANN. The Speaker first ordered an automatic call of the House, and there being some doubt under the procedure of the House as to what ought to be done, upon reflection, seeing that that would put the House into the absurd position of calling the roll and disclosing the absence of a quorum on a question, and immediately again calling the roll on the same question, with less likelihood of getting a quorum the second time than the first, the Speaker declared he would consider that the roll call was still pending.

Mr. HARDWICK. Yes.

Mr. MANN. And that absent Members brought in would have the right to vote; but that was not under a call. Then we proceeded to revoke leaves of absence.

Mr. HARDWICK. And order the arrest of absent Members, so that, after all, the gentleman is superfining, because all of the proceedings, actual and practical, incident to a call of the House and necessarily attached to it have been taken in this case.

Mr. MANN. But what is it that the gentleman proposes to dispense with? Here is a roll call in progress. An adjournment, I take it, dispenses with that.

Mr. HARDWICK. Yes; that, of course, would be the only thing dispensed with.

Mr. MANN. That is what I want to know.

Mr. HARDWICK. The gentleman and I agree on that. The roll call on the previous question will be the only thing dispensed with. What I am anxious to get at is, not what we are going to dispense with, but what we are not going to dispense with.

Mr. MANN. Except for the precedent, I should think that excepting something would not continue. The gentleman says that everything shall be dispensed with except something.

Mr. HARDWICK. Yes.

Mr. MANN. And then he proposes to adjourn. Suppose we should adjourn anyway. Would that dispense with the arrests?

Mr. HARDWICK. Yes; it would.

Mr. MANN. Saying you except that is a very negative way of saying that you keep it in force, and I doubt whether it would amount to anything if anyone should actually be arrested.

Mr. HARDWICK. It has been ruled precisely, and I have no fear on that point. Of course the gentleman and I are really splitting hairs about nothing.

Mr. MANN. We are trying to split hairs about the form of a very technical matter affecting the arrest of Members, and my observation is that technicalities invariably follow when people are arrested under any doubtful authority.

Mr. HARDWICK. Just one other word. The gentleman is quite right in a way, although I do not think the technicality he raises is important, but we have had here to-day what amounts to an automatic call of the House, attended with all of the phenomena that usually attend an automatic call of the House. What I am trying to do is to put the House in condition so that it can adjourn and yet preserve the orders that it has entered and agreed upon to-day, to wit, first, revoking all leaves of absence, and, second, providing that absent Members shall be arrested and brought here by the Sergeant at Arms. The gentleman is quite right on one proposition. The only important thing that will be done away with after we adjourn will be the vote already taken, so far as it has been taken, on the demand for the previous question made by myself. From a practical standpoint we do not lose very much by that, because we know very well that if the gentleman from Illinois or any other Member on that side, or any Member on this side, wishes to demand the presence of a quorum to-morrow we must have a quorum before the resolution itself can be agreed to.

Mr. MANN. Will the gentleman submit to a question?

Mr. HARDWICK. Yes.

Mr. MANN. The yeas and nays were ordered?

Mr. HARDWICK. Yes.

Mr. MANN. Would not that order still stand to-morrow?

Mr. HARDWICK. I think so.

Mr. MANN. Whether or not any Member really desired a roll call on the previous question?

Mr. HARDWICK. Yes; I think the yeas and nays, unless vacated by unanimous consent, would be considered as already ordered for to-morrow, and that the first thing in order would be to call the roll on my demand for the previous question. It would be the unfinished business.

Mr. MANN. I should think we could adjourn and on to-morrow—as far as I am personally concerned; I can not answer for anybody else—a roll call on the rule itself might be sufficient unless some other gentleman desired a roll call upon the previous question.

Mr. UNDERWOOD. If the gentleman will allow me, I understand the gentleman from Illinois will insist on a roll call on the rule itself on the main question.

Mr. MANN. I will do the best I can toward it.

Mr. UNDERWOOD. Under those circumstances I will say it will of necessity require a quorum to do business to-morrow. I am not going to indulge in any captious criticism of Members who are not here, because I realize the membership of this House has worked very hard this summer and are worn out and many of them need a rest; but this is an important bill and, in order to carry on the Government, it is necessary for it to become a law and many of the items in it can not be delayed much longer.

It is of the utmost importance that we should secure a quorum. There is probably a quorum in town. Under this order the Sergeant at Arms is already advised concerning Members who have reported present. He has the warrants for the arrest of those who have not reported to-day, and if they are found in town to-night they can be brought before the bar of the House to-morrow. I think this order will be salu-

tary in enabling us to get a quorum here and maintain it until this bill goes to conference. Therefore I hope that the resolution offered by the gentleman from Georgia [Mr. HARDWICK] will pass. I do not think we could accomplish any result by spending two or three hours here this afternoon, and we probably can reach the absentees who are in town by the Sergeant at Arms to-night. I hope Members will all be here in the morning, and that we can get a vote on this resolution sending the bill to conference.

Mr. MANN. Now that the gentleman from Alabama is here, will he permit an interruption?

Mr. UNDERWOOD. Certainly.

Mr. MANN. I offered yesterday to allow this bill to go to conference if we could have a little discussion and vote upon a dozen amendments, or such a matter. Does not the gentleman think we might more wisely have put in the time that way than spending three days in trying to get a quorum?

Mr. UNDERWOOD. Well, that is a question; of course I am not familiar with the terms of the bill, and would not attempt to interfere with the management of the bill in the hands of the able gentleman from New York [Mr. FITZGERALD]. I happened to be absent myself out of town.

Mr. MANN. I think the gentleman was entitled to the absence. I think we all think that, and there is no criticism of the gentleman.

Mr. FITZGERALD. If the gentleman will permit me, the gentleman was so insistent that a quorum should be here to transact business that I was of the opinion it would be very improper and very unfair to have the important discussion the gentleman wished take place in the absence of a quorum.

Mr. MANN. Well, there was nothing to indicate a quorum was absent at the time the gentleman objected. The record showed a quorum was present until after that time.

Mr. FITZGERALD. It was in the air.

Mr. HARDWICK. Mr. Speaker, I ask for a vote on my resolution.

The SPEAKER pro tempore. The question is on agreeing to the resolution offered by the gentleman from Georgia.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned to meet to-morrow, Friday, October 10, 1913, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULDEN: A bill (H. R. 8814) making the 12th day of October in each and every year a national holiday and designating it Discovery Day; to the Committee on the Judiciary.

By Mr. EAGLE: A bill (H. R. 8815) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 136) for the relief of sufferers from recent storms in the Territory of Alaska; to the Committee on Appropriations.

By Mr. FALCONER: Joint resolution (H. J. Res. 137) for the relief of the people of the town of Nome, Alaska; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULLOP: A bill (H. R. 8816) granting a pension to Jesse A. Curtis; to the Committee on Pensions.

By Mr. DONOVAN: A bill (H. R. 8817) granting an increase of pension to Helen M. Benson; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 8818) granting an increase of pension to John Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8819) granting a pension to Jane Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8820) granting a pension to Rebecca E. Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8821) granting a pension to J. L. Hull; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 8822) granting an increase of pension to Ellery W. Price; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 8823) granting an increase of pension to Edward Brady; to the Committee on Invalid Pensions.

By Mr. TUTTLE: A bill (H. R. 8824) for the relief of Samuel Baker; to the Committee on Military Affairs.
Also, a bill (H. R. 8825) granting an increase of pension to William H. Struble; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany the bill (H. R. 8762) for the relief of the legal representatives of Col. John Sloane, deceased; to the Committee on War Claims.

By Mr. RAKER: Memorial of the Sacramento Chamber of Commerce, of Sacramento, Cal., favoring more battleships and a naval reserve; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, October 10, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, Almighty God, our heavenly Father, upon these Thy servants, here to subserve the interests of a great people. Grant that by Thy holy influence their work may be faithfully and efficiently done, that our Nation may increase in all that makes a nation great, and its gospel of liberty be felt by all the peoples throughout the earth. And Thine shall be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

URGENT DEFICIENCY BILL.

Mr. HARDWICK. Mr. Speaker, I desire to ask unanimous consent that the action of the House in ordering the yeas and nays on my demand for the previous question yesterday shall be rescinded. And I give notice in connection therewith—

Mr. MANN. Provided the gentleman will simply withdraw his motion for the previous question, if he has the right to do so.

Mr. HARDWICK. I do not think I have the right to do that after the yeas and nays have been ordered. If the Chair shall hold otherwise, I am perfectly willing. I wish to give notice that I intend to withdraw my demand for the previous question—temporarily at least.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to vacate the order for the yeas and nays. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDWICK. Mr. Speaker, I desire to withdraw my demand for the previous question, and I now desire to ask unanimous consent that there be one hour's general debate on the resolution, one half of the time to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and the other half by myself, at the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Georgia [Mr. HARDWICK] asks unanimous consent to withdraw his demand for the previous question, coupled with the further proposition that there shall be one hour's debate on the resolution, one half of the time to be controlled by him and the other half by the gentleman from Kansas [Mr. CAMPBELL].

Mr. MANN. Will not the gentleman make that 40 minutes on a side?

Mr. HARDWICK. Well, 40 minutes. I will amend it.

Mr. MANN. Make it 40 minutes on a side.

Mr. HARDWICK. At the end of which time the previous question shall be considered as ordered.

The SPEAKER. Forty minutes on a side, at the end of which time the previous question shall be considered as ordered. Is there objection?

Mr. KELLY of Pennsylvania. Reserving the right to object, I would like to know if it is possible for us to have 10 minutes here?

Mr. HARDWICK. You will have 40 minutes over there. I suppose the gentleman from Kansas [Mr. CAMPBELL] will yield you 10 minutes.

Mr. KELLY of Pennsylvania. I would like to have that understanding.

Mr. CAMPBELL. I will yield 10 minutes out of the 40 to the gentleman.

Mr. KELLY of Pennsylvania. That is satisfactory.

The SPEAKER. Is there objection to the motion of the gentleman from Georgia [Mr. HARDWICK], with the understanding that the gentleman from Pennsylvania [Mr. KELLY] is to have 10 minutes? [After a pause.] The Chair hears none. The gen-

tleman from Georgia [Mr. HARDWICK] is recognized for 40 minutes.

Mr. HARDWICK. Mr. Speaker, I yield five minutes first to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, the object of this rule is to enable the urgent deficiency bill to be sent to conference in order to adjust the differences on the various amendments between the two Houses. The bill as it passed the House carried about \$3,900,000, recommended by the committee out of estimates aggregating over \$9,000,000 from the departments, and the Senate added, in round numbers, between eight and nine hundred thousand dollars. There are 107 Senate amendments. Unless the bill be sent to conference and a number of these amendments are adjusted in the manner customary in the transaction of the business of the two Houses, it would take an interminable time to dispose of them. There are certain Senate amendments, Mr. Speaker, in which so many Members of the House have indicated a very keen interest that I have heretofore stated that if this rule be adopted and the bill go to conference no final disposition will be made of these amendments.

The report made by the managers upon the part of the House will be in such shape that a separate vote can be had in the House upon the amendments to be indicated. So that Members may understand what, at least, my attitude is, I shall state the amendments I have in mind.

First is amendment No. 8, which takes from the classified service deputy marshals and certain internal-revenue employees; amendment No. 44, to reimburse the State of Ohio for militia equipment lost during the recent floods; Senate amendment 61, which amends the provision of the bill as passed by the House so as to continue either during their lifetime or until they resign or are otherwise removed the five additional circuit judges appointed under the act creating the Court of Commerce. The House not only abolished the Court of Commerce, to take effect the 31st of December, but it abolished the five additional circuit judges created by the act. The Senate amendment changes the provision so as to continue those five judges until either they resign or are removed or die. The next amendment is No. 93, which provides an appropriation for an automobile for the Vice President. The next amendment is amendment No. 97, providing an extra month's pay to the employees of Congress.

There is one other amendment, Mr. Speaker, which I had on the list and overlooked. That is amendment No. 82, providing an appropriation of \$25,000 for the commission appointed to report relative to the memorial bridge.

It may be that the managers on the part of the two Houses may not be able to reconcile the differences existing between the two Houses upon other amendments, but these amendments which I have enumerated are the ones that so many Members have indicated a desire to have an opportunity to pass upon, and I believe it to be but proper at this time to state what the attitude would be of those who, under the practice of the House, would be appointed to represent the House relative to these amendments. This will prevent misunderstanding among Members that the adoption of this rule will not prevent a separate vote upon these amendments.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. MANN. We did not hear what the amendments were.

Mr. FITZGERALD. I shall read them again. No. 8, relative to deputy marshals in internal-revenue offices.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HARDWICK. How much time does the gentleman desire?

Mr. FITZGERALD. It will take two or three minutes more to finish.

Mr. HARDWICK. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is recognized for five minutes more.

Mr. FITZGERALD. No. 44, to reimburse the State of Ohio for militia equipment; No. 61, relative to the judges of the Commerce Court; No. 82, relative to the Memorial Bridge Commission; No. 93, relating to the Vice President's automobile; and No. 97, relating to the extra month's pay to the employees of Congress.

Mr. AUSTIN. Mr. Speaker, can I ask the gentleman about the provision in the bill for the Red Cross Building?

Mr. FITZGERALD. I did not enumerate it. I do not know whether the managers representing the two Houses will be able to reach an agreement regarding it. If not, it will come back.

Mr. AUSTIN. We shall have an opportunity to vote on that if the House conferees fail to agree?